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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building **Telephone** 755-2838

BULLETIN NO. 1
Wednesday, February 8, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 1 - (Joint Resolution) Introduced by Moore
"Informing His Excellency, Governor Dan K. Moore, that the General Assembly is organized and ready to proceed with public business and invitin, the Governor to address a joint session of the Senate and House at 12:30 p.m., Thursday, February 9, 1967, and again at 8:00 p.m., Monday, February 13, 1967." [Invites the Governor to address joint session of the General Assembly at 12:30 p.m., Thursday, Feb. 9, 1967, and again at 8:00 p.m., Monday, Feb. 13, 1967, and further to deliver such other personal or written messages as he may from time to time desire. Provides for appointment of committee to escort Governor and for printing of Feb. 9,13 addresses.] Passed three readings and sent to House.

SB 2 - Introduced by Burney
"To amend Article 3, Chapter 18 of the General Statutes so as to permit the transportation, possession and consumption of alcoholic beverages for personal use." [Adds GS 18-58.1 to permit possession and transport in counties (or any part thereof) with ABC stores of one-fifth gallon of alcoholic beverages obtained from ABC store or lawful out-of-state source, for personal consumption and consumption of family and bona fide guests. Provides that display and consumption of such beverages shall remain unlawful (under GS 18-47 and 18-51) and possession or transport for purposes of sale shall be unlawful; violations are misdemeanors punishable by fine and/or imprisonment, in discretion of court.] To Propositions and Grievances.

SB 3 - Introduced by Byrd
"To provide a limited form of continuing contract for principals and teachers in the public school system." [Rewrites GS 115-142 to provide: (1) that any person other than the superintendent desiring election as a teacher, principal, or other professional employee in a county or city school administrative unit shall file written application in such manner as the superintendent and board of education may prescribe. Professional employees are defined as persons holding a position for which the State Board of Education has established certification requirements. (2) All county and city boards of education shall cause written contracts, on forms furnished by State Superintendent of Public Instruction, to be executed in duplicate by all teachers, principals and other professional employees before any salary vouchers shall be paid, with one copy to superintendent and one to employee. Proposed contracts must be executed and returned to superintendent within 15 calendar days after date of delivery. No county or city board of education shall contract for more personnel than alloted by State Board of

Education unless provision has been made for payment of additional personnel from local funds. (3) All contracts shall be subject to the allotment of personnel by the State Board of Education and subject to termination upon termination of the position. (4) Contracts shall continue from year to year unless terminated by county or city board of education by registered letter to employee's last known address prior to close of school year or termination of contract. (5) Termination of employment during a school year shall be in accord with the provisions and procedures of GS 115-67 (stating the conditions under which superintendents may suspend principals and teachers) and GS 115-145 (stating the conditions under which county and city boards of education and district committees, with the approval of the superintendent, may dismiss a teacher or principal). Effective with the issuance of contracts for the 1967-1968 school term.] To Education.

SB 4 - Introduced by Brumby

"To designate Arbor Week in North Carolina." [Designates the week in March that contains March 15, annually as Arbor Week in North Carolina.] To State Government.

SB 5 - Introduced by Allsbrook

"To amend G. S. 20-7(f) so as to reward safe drivers by eliminating the requirement for taking written and road tests when applying for renewal of operator's license." [Adds to GS 20-7(f) provision that only persons who have been convicted of traffic violation or adjudged to have been negligent in the operation of motor vehicle within four-year period immediately preceeding date of such persons operator's license renewal application are required to take written or road tests.] To Highway Safety.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SR 1 - (Joint Resolution) Inviting Governor. Passed three readings.

HR 1 - (Joint Resolution) Memoralizing Rodenbough. Received from House; passed three readings.

LOCAL BILLS

None

OFFICERS OF THE 1967 SENATE

President pro tem	Herman A. Moore
Principal Clerk	S. Ray Byerly
Reading Clerk	Eugene Simmons
Sergeant-at-arms	W. Brooks Poole

The President appointed the following Senators to the Committee on Journal, Enrolling and Printing: Matheson, chairman; Kemp, vice chairman; Brumby, Dent, Moore, Nielson, Simmons, Warren.

The President appointed the following Senators to the Senate Committee on Rules: Moore, chairman; Harrington, vice chairman; Shuford, vice chairman; Futrell, Gentry, Griffin, Morgan, Norton, Scott, White of Lenoir.

The President appointed Rev. Russell B. Fleming to serve as Senate Chaplain.

The Senate adopted the rules of the 1965 Senate temporarily.

Next session of Senate: 12 noon, Thursday, Feb. 9, 1967.

BULLETIN NO. 1
Wednesday, February 8, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1 - (Joint Resolution) Introduced by Chase
"Honoring the memory of Grace Taylor Rodenbough, former member of the House of Representatives from Stokes County." /As title indicates./ Passed three readings and sent to Senate.

HR 2 - (Joint Resolution) Introduced by Gunn
"Honoring the memory of the Honorable Joseph Hardy Warren, former member of the General Assembly from Caswell County." /As title indicates./ Passed three readings and sent to Senate.

HB 3 - Introduced by High and Raynor
"To grant every individual who maintains a household an income tax exemption of $2,000." /Amends GS 105-149(a) to provide for a personal exemption of $2,000 to single individuals, widows, widowers or divorced persons who maintain a household, to be in lieu of exemptions already provided by law. Effective for income years beginning January 1, 1967./ To Finance.

HB 4 - Introduced by High and Raynor
"To exclude from gross income for income tax purposes certain compensation received by members of the armed forces." /Amends GS 105-141(b) to exempt from state income taxation by excluding from "gross income": (1) all compensation for active service (not including pensions and retirement pay) of members of US Armed Forces below grade of commissioned officer for months during which serviceman served in combat zone or was hospitalized as result of wounds, disease, or injury incurred while serving in combat zone (not to apply if there is no combatant activities in zone); and (2) all compensation for such service not in excess of $200 per month of commissioned officers (not including warrant officers). Combat zone is defined as any area the President by executive order designates as one in which US Armed Forces are engaged in combat on or after January 1, 1967; and service is performed "in a combat zone" only if performed after date designated by President as date of commencing of combatant activities in such zone. Effective for income years beginning on or after Jan. 1, 1967./ To Finance.

HB 5 - Introduced by Williamson and others
"To amend GS 20-309(c), GS 20-309(e) and GS 20-311 to provide for the revocation of an owner's motor vehicle registration plate and suspension of his operator's or chauffeur's license, in the discretion of the commissioner, for failure to produce certain records requested by commissioner of motor vehicles and for failure to recertify after notice of cancellation or termination and prescribing conditions for reregistration." /Amends cited sections (requiring revocation of registration plate and suspension of operator's license on failure to have financial responsibility, to produce records of liability insurance or to certify to the facts of financial responsibility) to provide that revocation and suspension is not mandatory but in the discretion of the Commissioner of Motor Vehicles./ To Highway Safety.

HB 6 - Introduced by Messer
"To appropriate twenty-five thousand dollars to the University of North Carolina at Greensboro for repairs and construction of buildings used by the Parkway Playhouse, incorporated at Burnsville, in Yancey County." /Appropriates $25,000 as title indicates from General Fund for biennium 1967-69; expenditures to be made under direction and supervision of Yancey County Board of Education./ To Appropriations.

HB 7 - Introduced by Ramsey and others
"Exempting from the provisions of G.S. 113-272, pertaining to special trout fishing licenses, residents of North Carolina under 16 years of age." /Amends GS 113-272 to exempt North Carolina residents under age of 16 from having to procure special trout fishing licenses for public mountain trout waters./ To Wildlife Resources.

HB 8 - Introduced by Ingle and others
"To amend G.S. 106-266.21 so as to lower the cost of milk." /Amends cited section by deleting last three sentences. Deleted portion defines "costs" (for purposes of determining whether milk has been sold below cost in violation of this section) as the invoice price paid by the retailer plus a minimum of 7% of the invoice price./ To Agriculture.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 1 - (Joint Resolution) Inviting Governor. Received from Senate; passed three readings.

HR 1 - (Joint Resolution) Memorializing Rodenbough. Passed three readings.

HR 2 - (Joint Resolution) Memorializing Warren. Passed three readings.

LOCAL BILLS

None

OFFICERS OF 1967 HOUSE

Speaker	David M. Britt
Principal Clerk	Mrs. Annie E. Cooper
Reading Clerk	Sam J. Burrow, Jr.
Sergeant-at-arms	Archie T. Lane
Chaplain	Alphonso Jordan

The House temporarily adopted the rules of the 1965 House.

The Speaker appointed the following Representatives to committees as indicated:

Journal: Auman, chairman; Barr, vice-chairman; Edwards, vice-chairman; Blake, Hutchins, Mullinax, Penny, Stewart, Taylor of Transylvania, Whicker.

Rules: Johnson of Duplin, chairman; Edwards, vice-chairman; Elliott, vice-chairman; Vogler, vice-chairman; Barbee, Bryan, Godwin of Craven, Greenwood, Isaac, Jones, Mauney, McKnight, McMillan of Robeson, Paschall, Quinn, Ramsey of Person, Roberson.

Appropriations: Greenwood, chairman; Ervin, vice-chairman; Jernigan, vice-chairman; Johnson of Wake, vice-chairman; Phillips, vice-chairman; Auman, Barbee, Barr, Beatty, Blake, Boger, Bowles, Bunn, Chase, Clark of Bladen, Collins, Eagles, Exum, Falls, Fenner, Godwin of Gates, Garren, Gregory, Gunn, Hamrick, Haynes, Hill, Horton, Hunter of Mecklenburg, Ingle, Isaac, Johnson of Cabarrus, Jordan , Kiser, Leatherman, McFadyen, McGlamery, Merritt, Messer, Mills of Onslow, O'Hanlon, Penny, Pickard, Poovey, Ramsey of Madison, Ramsey of Person, Raynor, Rountree, Royall, Speed, Stanford, Staton, Stewart, Sugg, Tate, Taylor of Carteret, Taylor of Transylvania, Troxell, Vaughn, Whicker, Whitley of Stanly, Williamson.

Finance: Eagles, chairman; High, vice-chairman; Leatherman, vice-chairman; McMillan of Robeson, vice-chairman; Short, vice-chairman; Andrews, Bailey, Baugh, Billings, Britt of Johnston, Bryan, Bumgardner, Burden, Burrus, Calvert, Carson, Church, Clark of New Hanover, Clark of Union, Collier, Craig, Culpepper, Edwards, Elliott, Euliss, Everett, Forbes, Garner, Godwin of Craven, Greenwood, Harkins, Harrill, Hege, Hofler, Hunter of Richmond, Hutchins, Jemison, Johnson of Duplin, Jones, Kincaid, Love, Mauney, McKnight, McMichael, McMillan of Wake, Mills of Anson, Mitchell, Mohn, Mullinax, Paschall, Quinn, Ragsdale, Roberson, Strickland, Tart, Tolbert, Twiggs, Vogler, Whitley of Guilford, Woodard.

Congressional Districts: High, chairman; Bunn, vice-chairman; Ragsdale, vice-chairman; Ervin, Garner, Garren, Godwin of Gates, Gregory, Messer, Mills of Anson, Pickard, Quinn, Vaughn.

Judiciary No. 1: Hamrick, chairman; Ervin, vice-chairman; Garren, vice-chairman; McMichael, vice-chairman; Andrews, Bunn, Clark of New Hanover, Exum, Harkins, High, Johnson of Wake, Leatherman, McMillan of Wake, Paschall, Rountree, Short, Staton, Stewart, Strickland, Sugg.

Judiciary No. 2: Britt of Johnson, chairman; Godwin of Gates, vice-chairman; Pickard, vice-chairman; Whitley of Guilford, vice-chairman; Bailey, Bryan, Carson, Clark of Union, Edwards, Elliott, Hill, Hofler, Horton, Hunter of Mecklenburg, Johnson of Cabarrus, Love, Penny, Ramsey of Person, Taylor of Carteret, Twiggs, Vaughn.

Next session of House: 12 noon, Thursday, February 9, 1967.

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DAILY BULLETIN

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BULLETIN NO. 2
Thursday, February 9, 1967

Sessions: Senate -- 12:00 noon
12:30 p.m., joint session

PUBLIC BILLS INTRODUCED -- SENATE

SB 6 - Introduced by Evans and others

"To authorize the State Board of Education to conduct an experimental program in kindergarten and early childhood education." [Provides for State Board of Education to establish an experimental program in kindergarten and early childhood education. Programs shall be organized and administered by State Superintendent of Public Instruction in county and city school systems selected by State Board and in accordance with regulations approved by Board. Appropriates $750,000 to Board for each year of the biennium for stimulating the operation of kindergartens as parts of county and city school programs and as laboratories for education of kindergarten teachers desiring certification in the State. Appropriates $25,000 to Board for each year of biennium for $200 scholarships to 100 teachers for attending summer instruction programs in kindergarten education. Recipients must be recommended by a county or city superintendent operating or approved to operate a kindergarten. Appropriates $25,800 to Board for each year of the biennium to provide consultants in kindergarten education in Dept. of Public Instruction. State Superintendent to make report and recommendations to Governor and 1969 General Assembly.] To Education.

SB 8 - Introduced by Ellis

"To amend G.S. 105-141(b) so as to exempt federal military retirement pay from income tax." [Adds to GS 105-141(b)(exemption from state income taxation by excluding from gross income): retirement pay received from US Gov't by reason of service in Army, Navy, USMC, Nurses' Corps, Air Corps, Air Force or any armed service of U S. Effective for income years beginning on or after Jan. 1, 1967.] To Veterans and Military Affairs.

LOCAL BILLS INTRODUCED -- SENATE

SB 7 - (Onslow) Introduced by Ellis

"Relating to elections in the City of Jacksonville in Onslow County." [Rewrites SL 1953, Ch. 540, Sec. 1, as amended by SL 1959, Ch. 145, Sec. 2 to provide that at general election held on first Tues. following first Mon. in May, 1967 and biennially thereafter: (1) Mayor and four councilmen shall be elected at large(now, councilmen elected by wards) to serve for 2 yr. terms. (2) Four candidates receiving the highest number of votes for councilmen and candidate receiving highest number of votes for mayor shall be declared elected. (3) Prescribes time,form for filing notice of candidacy (unchanged) and requires $15.00 filing fee for councilmen and $20.00 for mayor (now, filing fee of $5.00 for all candidates). (4) Electors shall vote for total number of councilmen to be elected, or their ballots shall be void. (5) Vacancy in office of mayor shall

be filled by city council for unexpired term and vacancies in council shall be filled by mayor and city council. Tie vote in filling a vacancy shall be determined by lot.] To Election Laws and Legislative Representation.

SENATE CALENDAR ACTION

PUBLIC BILLS

HR 2 - (Joint Resolution) Memoralizing Warren. Received from House; passed three readings.

LOCAL BILLS

None

The President appointed the following Senators to committees as indicated:

Judiciary 1: Allsbrook, chairman; Bailey, vice-chairman; Bridgers, vice-chairman; Alford, Briggs, Currie, Penn, Warren, White of Lenoir.

Judiciary 2: Morgan, chairman; McGeachy, vice-chairman; White of Cleveland, vice-chairman; Boger, Bryan, Burney, Ellis, Griffin, McLendon.

Congressional Redistricting: Kemp, chairman; Green, vice-chairman; Norton, vice-chairman; Allen, Austin, Boger, Bryan, Gentry, Griffin, Osteen, Warren, White of Cleveland, Wood.

The President announced the appointment of the following Senators as committee chairmen: Agriculture - Gentry; Appropriations - White of Lenoir; Banking - McGeachy; Congressional Redistricting - Kemp; Conservation & Development - Futrell; Constitution - Burney; Counties, Cities and Towns - White of Cleveland; Courts and Judicial Districts - Warren; Education - Evans; Election Laws & Legislative Representation - Norton; Finance - Scott; Higher Education - Shuford; Highway Safety - Whitehurst; Insurance - Alford; Interstate and Federal Relations - Currie; Journal, Enrolling and Printing - Matheson; Judiciary No. 1 - Allsbrook; Judiciary No. 2 - Morgan; Libraries - Brumby; Local Government - Griffin; Manufacturing, Labor and Commerce - Bailey; Mental Health - Coggins; Correctional Institutions - Maxwell; Propositions and Grievances - Henkel; Public Health - Henley; Public Roads - Harrington; Public Utilities - Simmons; Public Welfare - MacLean; Retirement, Employment Security - Green; Rules - Moore; Salaries and Fees - Hancock; State Government - Wood; University Trustees - McLendon; Veterans and Military Affairs - Boger; Wildlife - Gilmore.

The Senate adopted the Senate Rules of 1965 as the permanent rules of the 1967 Session, with the following amendments: (a) Rule 12 Redefines scope of courtesies of floor and galleries to "distinguished visitors' (was "out-of-state dignataries"). (b) Rule 13 (a) - Changes from twice to three time the number of times Senator may speak or debate each day; increases daily maximum speaking time per subject per Senator from 30 min. to 45 min. (c) Rule 31 (which sets out Senate Committees) Changes names of Committees on Mental Institutions and Penal Institutions to Mental Health and Correctional Institutions, respectively. (d) Rule 38 (c) Increases number of copies of each bill reproduced to 600 (was 400), and requires that copy of each bill be delivered to each member's office in addition to desk. (e) Rule 60 Establishes minimum age requirement of pages at 13. (f) Rule 62 (a) Increases number of committee clerks to 25 (was 17).

Next session of Senate: 10:00 a.m., Friday, February 10, 1967.

BULLETIN NO. 2
Thursday, February 9, 1967

Sessions: House -- 12 noon.
12:30 p.m. joint session

PUBLIC BILLS INTRCDUCED -- HOUSE

HB 9 - Introduced by McMillan of Wake
"To amend G.S. 20-141 relating to power of local authorities to fix certain speed limits." /Adds to cited section discretionary power for local authorities to fix speed limits of not less than 10 mph on parking lots, drives , roads, streets or alleys of public or private institutions and upon the grounds of service stations, drive-in theaters, super markets, stores, restaurants, office buildings or any business or municipal establishment providing parking space for customers, patrons or the public. Requires posting of speed limit signs on affected property. Makes violation of ordinance misdemeanor punishable by maximum $50 fine or maximum 30 day prison sentence./ To Highway Safety.

HB 11 - Introduced by Britt of Johnston and others
"To amend Article VI of the Constitution of North Carolina so as to lower the minimum voting age." /Proposes constitutional amendment to lower minimum voting age in North Carolina from 21 to 18; amendment to be submitted to voters at next general election under laws now governing general elections. Spells out form of ballot. If majority of votes cast favor amendment, Governor shall certify amendment to Secretary of State, who shall enroll amendment among permanent records of office; amendment so certified shall be in full force and effect from and after date of certification./ To Constitutional Amendments.

HB 12 - Introduced by Clark of New Hanover and Andrews
"To amend section 90-113.1 (9) of the General Statutes of North Carolina, so as to include d-lysergic acid diethylamide, as a stimulant drug." /Amends cited section to include d-lysergic acid diethylamide (commonly known as LSD) within the definition of stimulant drugs, whose sale, dispensing, possession etc. is regulated by Article 5A of GS Chapter 90./ To Health.

HB 13 - Introduced by High and others
"To increase the income tax exemption for dependents from $300 each to $600 each." /Amends GS 105-149(a) (5) as title indicates. Effective for income years beginning on or after Jan. 1, 1967./ To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 10 - (Columbus) Introduced by Collier
"To amend Chapter 282, Private Laws of 1911, relating to the charter of the Town of Lake Waccamaw in Columbus County." [Amends Lake Waccamaw charter to provide for election of mayor and four commissioners at 1967 municipal election, mayor to serve 2-year term; commissioners to serve 4-yr staggered terms. Provides that two commissioners shall be elected from portion of town west of eastern boundary of property known as McRae Woods, extended due north to town limits, and two from that portion of town located east of the eastern boundary of McRae Woods. Candidate receiving highest number of votes at 1967 election from each of the two areas to serve 4-yr. term, and next highest candidate a 2-yr. term; thereafter, all commissioners shall be elected quadrennially and serve 4-year terms. Upon a vacancy in the office of mayor, mayor pro tem automatically becomes mayor; vacancies in office of commissioner to be filled by remaining members of Board until next municipal election, at which time commissioner shall be elected for unexpired term.] To Local Government.

HB 14 - (Buncombe) Introduced by Greenwood and Harkins
"To amend sections 105-306 (26); 105-308; 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of Tax Supervision of Buncombe County to prescribe regulations relating to the listing of property for taxation in Buncombe County, and to authorize the division, or combining of townships for tax listing purposes." [Authorizes County Board of Tax Supervision to: (1) prescribe regulations of type and form of oath for persons listing property, manner of listing of property by agents, and submission of tax lists by mail; and (2) divide or combine townships for tax listing purposes. Provides for tax supervisor with approval of board to appoint one or more list takers for each combined or divided unit. Provides that the misdemeanor penalty for failure to list set out in GS 105-307 shall apply to failure to list pursuant to any regulations adopted by the board. Provides for GS 105-306(26), 105-308, 105-309 and 105-310 to apply to Buncombe County except as inconsistent with regulations of Board of Tax Supervision concerning taxpayer oath, listing by agents and listing by mail.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

None.

LOCAL BILLS

None.

The Speaker appointed the following Representatives to committees as indicated:
Banks and Banking: Godwin of Gates, chairman; Gregory, vice-chairman; Hofler, vice-chairman; Paschall, vice-chairman; Short, vice-chairman; Andrews, Bailey, Blake, Bryan, Clark of Union, Collins, Eagles, Euliss, Garren, Godwin of Craven, Hunter of Mecklenburg, Isaac, Johnson of Duplin, Jones, McFadyen, McGlamery, McMillan of Robeson, Mullinax, Ragsdale, Whitley of Stanley.

Committee on Commercial Fisheries and Oyster Industry: Williamson, chairman; Merritt, vice-chairman; O'Hanlon, vice-chairman; Burrus, Culpepper, Haynes, Hill, Hutchins, Johnson of Duplin, Kincaid, Mohn, Strickland, Sugg, Tart, Taylor of Carteret.

Committee on Corporations: Edwards, chairman; Euliss, vice-chairman; Hamrick, vice-chairman; Bryan, Calvert, Church, Clark of New Hanover, Ervin, Hofler, Horton, Johnson of Cabarrus, Love, Paschall, Rountree, Strickland, Twiggs, Whitley of Stanly.

Committee on Elections and Election Laws: Barbee, chairman; Johnson of Wake, vice-chairman, McGlamery, vice-chairman; Pickard, vice-chairman; Bailey, Baugh, Collins, Edwards, Forbes, Hege, Hofler, Hutchins, Jemison, Ramsey of Madison, Strickland, Tart, Tate, Vogler.

Committee on Library (Joint): Stanford, chairman; Eagles, vice-chairman; Mills of Onslow, vice-chairman, Barbee, Beatty, Billings, Carson, Collier, Harkins, Ingle, Kincaid, McMichael, Phillips, Taylor of Transylvania, Troxell.

Committee on Roads: O'Hanlon, chairman; Falls, vice-chairman; McGlamery, vice-chairman; Ramsey of Madison, vice-chairman; Williamson, vice-chairman; Auman, Barr, Billings, Blake, Boger, Bumgardner, Burden, Burrus, Collier, Collins, Culpepper, Falls, Fenner, Garner, Hamrick, Hunter of Richmond, Hutchins, Jemison, Jernigan, Mills of Onslow, Mitchell, Roberson, Royall, Speed, Taylor of Carteret, Vogler.

BILLS RATIFIED

SR 1 - (Joint Resolution) Inviting Governor. [R 2]
HR 1 - (Joint Resolution) Memorializing Rodenbough. [R 1]
Next session of House: 10:00 a.m., Friday, Feb. 10, 1967.

SUMMARY OF LEGISLATIVE MESSAGE OF THE GOVERNOR

Delivered at a Joint Session of the General Assembly
of North Carolina at 12:30 p.m. February 9, 1967.

Governor Dan K. Moore presented the broad outlines of his program today to the General Assembly in a twenty-eight page legislative message which laid special stress on the educational responsibilities of State government. The principal topics he listed in the written text were as follows: The Public School System, Community Colleges, Higher Education, Culture, Health and Hospitals, Public Welfare, The Blind and the Deaf, Correctional Agencies, Public Regulatory Agencies, Human Relations, Law and Order, the Administration of Justice, Natural Resources, Highways, Highway Safety, Election Laws, Governmental Cooperation, and State Employees.

Governor Moore's principal recommendations included the following:

The Public School System: Salary increases for public school teachers, vocational education teachers, and other personnel under the nine-months school fund, averaging 8.73% in 1967-1968 and 8.85% additional in 1968-1969, for a biennial total increase of 17.58% (as recommended by the State Board of Education); varying pay increases for other public school personnel (five percent in most cases); hiring 130 additional special education teachers; a $400,000 study of public kindergarten feasibility; elimination of the present five dollar textbook fee paid by high school students; continuation of LINC but under funding controls of the State Board of Education; continuation of the Advancement School if the State Board of Education so recommends; a "blue ribbon" study commission on the public school system.

Community Colleges: Pay increases for teaching personnel of eight percent in 1967-1968 and an additional four percent in 1968-1969; five percent pay increase for non instructional personnel; conversion of Wayne Technical Institute to a Community College; establishment of four new branch units; and an increase for the new industry training program.

Higher Education: Salary increases (at the discretion of institutional heads) ranging from seven to nine percent in 1967-1968 and an additional four percent in 1968-1969; further increases to strengthen the staff of the Board of Higher Education, to improve institutional research and development, to expand highway safety research, to improve student-teacher ratios in graduate programs, and to implement new research and graduate programs; capital improvement appropriations to be recommended in budget message.

Culture: That the North Carolina Arts Council be made a statutory committee; creation of a permanent Executive Mansion Fine Arts Committee; consideration of construction of a new State Arts Museum Building (further recommendations may follow later).

Health and Hospitals: An increase of 22.3% in general fund appropriations; a substantial increase for community mental health center grants; a 2.1 to 1 patient-employee ratio at mental institutions; continuation of the 5¢ per bottle fee on alcoholic beverages for benefit of alcoholic rehabilitation and research; establishment of a uniform schedule for medical fees and payments to hospitals; $800,000 for additional payments to local health departments; a study of implementation of title XIX of medicare, but no immediate action.

Public Welfare: Recommended increases in appropriations to continue present programs, provide more medical assistance to welfare recipients, and reduce administrative work loads, totaling 26% in state funds.

Human Relations and Law and Order: That the Good Neighbor Council and the Law and Order Committee be made statutory agencies; that cross burnings

without permission of property owner be made a felony; that bombing occupied property be made a felony; that the reward statute be revised to authorize the Governor to offer up to $10,000 for information leading to the arrest and conviction of felons.

Administration of Justice: Statutory establishment of the new appellate court authorized by state-wide referendum.

Natural Resources: Consolidation of the Board of Water Resources and the State Stream Sanitation Committee; assignment of air pollution abatement responsibility to the consolidated board; necessary steps to prevent misuse of ground water, implementing the ground water consulting study, and consideration of the Water Resources Department study of needed water resource legislation.

Highways and Highway Safety: Review of progress and implementation of $300 million road bond issue (nearly $50 million spent or obligated); strengthening highway inspection programs; additional highway patrolman; revision of licensing procedures involving mentally or physically incapacitated persons; special testing and licensing of motorcycle operators, equipment, and operations; specific attention to one-car fatal accidents; better preparation for driver education instructors (highway safety recommendations listed in written text, but not spelled out in delivery).

Election Laws: Careful consideration of report of Election Laws Revision Commission; approval of suggestions of State Board of Elections; constitutional amendments permitting General Assembly to fix age requirements for voting.

State Employees: Salary increases of five percent for all full-time State employees subject to the Personnel Act; ten percent salary increases for qualified physicians in State Mental Hospitals; consideration of a statement on political rights of State employees on their own time and without improper use of their time or influence for political action.

With regard to organization for higher education, Governor Moore reaffirmed his support of the one-university concept and stated that no major change in our system of higher education should be made until completion of the pending study of State-supported higher education by the State Board of Higher Education. He referred to the study of the Board of Trustees of the University of North Carolina by the Hodges Commission and indicated that he will send an additional message on this subject later.

Governor Moore referred briefly to the subject of alcoholic beverages, expressing his opposition to the sale of liquor by the drink but recommending that the "brown bag" custom be legalized if feasible without violating the principle of alcoholic beverage control. He mentioned the subject of congressional redistricting but made no specific recommendation. His message did not refer to the subject of taxation.

The Governor's budget message spelling out the details of his budgetary recommendations is scheduled to be presented to the General Assembly on Monday, February 13.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 3
Friday, ~~January~~ February 10, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 9 - Introduced by Briggs
"To increase the salaries of public school principals and classroom teachers." [Increases salaries of all public school classroom teachers and principals 15% for fiscal year 1967-1968 and 10% additional for fiscal year 1968-1969. Increases apply to all public school classroom teachers and principals regularly employed during all or part of regular school term ending prior to June 30, 1967 and June 30, 1968 respectively. Increases based on salaries in force at school year or term ending prior to June 30, 1967 and June 30, 1968 respectively; 10% 1968-1969 increase computed on basis of basic salary including 15% 1967-1968 increase; all increases to become part of basic salary of affected teachers and principals. Sum sufficient to carry out increases appropriated from general funds of State or any other available funds of State; Director of Budget directed to transfer to State Board of Education amounts as required by increases herein established. Increases to be applied to increase salaries paid out of special funds or from sources other than tax revenues, provided necessary funds made available from sponsoring agents.] To Appropriations.

SR 11- (Joint Resolution) Introduced by Gilmore and Allen
"Providing for the acceptance by the General Assembly of North Carolina of the invitation of the Seaboard Air Line Railroad Company to attend a forestry field day program, and for other purposes." [Identical with HR 15, digested in the House section of today's bulletin.] To Rules.

SB 12 - Introduced by Moore
"Amending G.S. 130-151 relating to the dissolution of certain sanitary districts and relating to public health." [Adds to cited section provision authorizing governing board of a dissolved sanitary district to convey district's assets to a public utility company certified (or to be certified) by NC Utilities Comm'n, in return for company's assumption of the obligation to provide water and sewer services to the district's service area. Act applies to future dissolutions under GS 130-151 and to dissolutions where petition was prior to ratification of this act, if petition set forth that district's assets were to be conveyed to a certified public utility.] To Public Health.

SB 13 - Introduced by Nielson and Bagnal
"To amend GS 163-182, relating to the appointment of watchers in elections." [Amends cited section to provide that persons appointed as watchers at precinct polling places must be registered voters of county in which given precinct located (formerly, watchers required to be electors of precinct to which appointed);repeals last paragraph of cited section;makes section inapplicable to counties having

looseleaf modern registration system with full time and permanent registration.] To Election Laws & Legislative Representation.

SB 14 - Introduced by Nielson and Bagnal

"To amend GS 163-196, so as to make it a misdemeanor for a State employee to solicit political contributions from other State employees." [Adds to cited section provision making it a misdemeanor for any employee of State or State dept. or agency directly or indirectly, to coerce, attempt to coerce, command, solicit, encourage, recommend, or advise any other employee of State or State dept. or agency to pay, lend or contribute any part of his compensation or anything of value to any political organization for any political purpose.] To Election Laws & Legislative Representation.

LOCAL BILLS INTRODUCED -- SENATE

SB 10 - (Rowan) Introduced by Parrish

"Repealing certain sections of Chapter 78 of the Private Laws of 1931 and restoring nonpartisan city elections in the City of Salisbury." [Amends cited act to provide that all city elections shall be non-partisan and, except for primaries, shall be governed by the provisions of GS 160, Art. 3. Ballots in the general election shall be in a prescribed form which lists candidates for each office in alphabetical order without designation of political party. (Now, partisan ballots used). All candidates for city office whose names appear on the ballot in the general election shall be nominated in a primary election except that when there are less than 10 candidates for councilmen or two for any other city elective office no primary need be held for such office. (No specific reference is made to SL 1955, Ch. 777 which amended Pri. Laws 1931, Ch 78 to provide that if no more aspirants file for nomination by a political party than there are places to be filled no primary shall be held by that party.)

The primary election: (1) Shall be held on the second Mon. preceding all general municipal elections. (2) Judges and other officers of election appointed for general municipal election shall preside over these elections which shall be held at same place and time and subject to same rules as general election. (3) Prescribes time and form for filing notice of candidacy, filing fee of $5.00 requirements for publishing lists of candidates, and requirements for form of ballot. (4) Qualifications of electors shall be the same as in the succeeding general municipal election and challenge procedures shall be as prescribed by GS 163. (5) Judges of election shall count ballots and certify results to City Clerk (now results are certified by County Board of Elections). (6) 10 candidates receiving highest number of votes for councilmen and two receiving highest number of votes for any other elective office shall be placed upon the ballots at next general municipal election (now five persons from each party receiving highest number of votes for councilmen are placed on the general election ballot).

Sections one to ten of Priv. Laws 1931, Ch. 78 are specifically repealed. Effective Mar. 1, 1967.] To Election Laws & Legislative Representation.

SENATE CALENDAR ACTION

PUBLIC BILLS

None

LOCAL BILLS

None

The President appointed the following Senators to the Committee on Agriculture: Gentry, chairman; Matheson, vice-chairman; Austin, vice-chairman; McGeachy, vice-chairman; Allen, Byrd, Dent, Green, Griffin, Hancock, Harrington, MacLean Maxwell, Parrish, Simmons, Scott, White of Lenoir, Whitehurst, Wood.

Next sessions of Senate: 9:00 a.m., Saturday, February 11, 1967 for consideration of local bills only;
7:30 p.m. and 8:00 p.m. (joint session for Governor's budget message) Monday, February 13, 1967.

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BULLETIN NO. 3
Friday, February 10, 1967

Session: House -- 10 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 15 - (Joint Resolution) Introduced by Hunter of Richmond
"Providing for the acceptance by the General Assembly of North Carolina of the invitation of the Seaboard Air Line Railroad Company to attend a forrestry field day program, and for other purposes." /As title indicates, accepts invitation for Thursday, April 13, 1967 to board special train in Raleigh and journey to Hoffman, Richmond County, to attend Forestry Field Day Program that will cover all aspects of modern forest management and manufacture of forest products./ To Rules.

HB 17 - Introduced by Jemison and others
"To amend GS 163-182, relating to the appointment of watchers in elections." /Identical with SB 13, digested in the Senate section of today's bulletin./ To Elections and Election Laws.

HB 18 - Introduced by Jemison and others
"To amend GS 163-196, so as to make it a misdemeanor for a state employee to solicit political contributions from other state employees." /Identical with SB 14, digested in the Senate section of today's bulletin./ To Elections and Election Laws.

HB 20 - Introduced by Taylor of Transylvania and Clark of New Hanover
"To increase the salaries of public school principals and classroom teachers." /Identical with SB 9, digested in the Senate section of today's bulletin./ To Education.

HB 22 - Introduced by Ervin
"Ratifying a proposed amendment to the Constitution of the United States of America, relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office." /Proposes amendment to US Constitution to be ratified by General Assembly (valid when ratified by legislatures of three-fourths of the States within seven years from date of submission by Congress) to provide that:(1) Vice President becomes President if President is removed from office, dies or resigns. (2) Vacancy in office of Vice President shall be filled by nominee of President upon confirmation by majority of both Houses of Congress. (3) Powers and duties of Presidency shall be discharged by Vice President whenever President transmits to President pro tempore of Senate and Speaker of House written declaration he is unable to discharge such duties and until he transmits written declaration to contrary. (4) Vice President assumes powers and duties of office as Acting President whenever he and majority of either principal officers of executive departments or such other body as Congress may provide, transmits to President pro tempore of Senate and Speaker of House written declaration that President is unable to discharge duties of his office; but if President thereafter transmits to President pro tempore of Senate and Speaker of House his written declaration that no inability exists, he shall resume powers of his office unless Vice President and majority of either principal officers of executive department or such other body as Congress provides, shall transmit within four days to Senate and House their written declaration that President is unable to discharge powers of his office, whereupon Congress shall decide issue, within 21 days after receipt of declaration or, if not in session, 21 days after Congress is required to assemble (assembling within 48 hours if not in session); if Congress by two-thirds vote of both Houses determines that President is unable to discharge his office, Vice President shall continue to discharge same as acting President; otherwise President shall resume powers and duties of his office. Provides that if amendment is ratified by General Assembly, certified copies of amendment be forwarded

by Governor to US Secretary of State to Presiding Officer of US Senate, and Speaker of House of Representatives./ To Constitutional Amendments.

LOCAL BILLS INTRODUCED -- HOUSE

HB 16 - (Beaufort) Introduced by Roberson
"To amend GS 160-181.2, so as to grant extraterritorial zoning jurisdiction to the town of Chocowinity in Beaufort County." /Exempts the Town of Chocowinity from the requirement that it have a population of 1,250 in order to exercise the power of one-mile extraterritorial zoning jurisdiction granted to municipalities by the cited section./ To Counties, Cities and Towns.

HB 19 - (Pamlico) Introduced by Sugg and Godwin of Craven and Taylor of Carteret
"To amend GS 9-25, relating to the drawing and service of grand jurors, so as to make the first paragraph applicable to Pamlico County." /Amends cited section by adding Pamlico to list of counties where grand jurors are drawn at the first fall and spring terms of the criminal courts and grand jurors serve for the duration of the respective terms./ To Courts and Judicial Districts.

HB 21 - (Gaston) Introduced by Stewart
"To amend GS 160-181.2, relating to extra-territorial zoning jurisdiction, so as to make it applicable to the city of Mount Holly, in Gaston county." /Makes cited section (granting authority to certain municipalities to exercise one mile extraterritorial zoning jurisdiction) applicable to Mount Holly, but exempts Mount Holly from the requirement that it have a population of 1,250 in order to exercise the authority./ To Local Government.

HB 23 - (Pamlico) Introduced by Taylor of Carteret, Godwin of Craven, and Sugg
"To amend Chapter 110, Private Laws of 1903, the charter of the Town of Bayboro, in Pamlico County, with reference to the levy of ad valorem taxes." /Deletes ceiling of 50 cents levy on ad valorem taxes and ceiling of 75 cents on poll taxes for Bayboro by amending Section 3 of Chapter 110, Private Laws of 1903 and by repealing Chapter 47, Public-Local and Private Laws of 1923 (apparently refers to Private Laws of 1923)./ To Finance.

HB 24 - (Pamlico) Introduced by Sugg, Godwin of Craven, and Taylor of Carteret
"To amend Chapter 1073, Session Laws of 1959, relating to the issuance of pistol permits, so as to make the same applicable to Pamlico County." /Deletes Pamlico from list of counties exempted from GS 14-402, which prohibits the purchase or sale without a permit from the sheriff of pistols, pumpguns, bowie knives, dirks, daggers, sling-shots, blackjacks or metallic knucks./To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

None

LOCAL BILLS

None

The Speaker appointed the following Representatives to committees as indicated:

Commissions and Institutions for the Blind: McMillan of Wake, chairman; Andrews, Gunn, Leatherman, vice-chairmen; Baugh, Bowles, Chase, Everett, Falls, Haynes, Jemison, Mitchell, Royall, Tolbert.

Counties, Cities and Towns: Horton, chairman; Forbes, Stanford, Tart, vice-chairmen; Billings, Bumgardner, Burrus, Calvert, Church,Clark of Union, Collier, Euliss,Hege, Jones, McKnight, McMichael, Raynor, Stewart, Troxell, Twiggs, Vogler, Whitley of Guilford.

Constitutional Amendments: Andrews, chairman; Hamrick, McMillan of Wake, vice-chairmen; Bailey, Carson, Clark of Union, Elliott, Exum, Garren, Hill, Penny, Tate, Whitley of Guilford.

Courts and Judicial Districts: Vaughn, chairman; Garren, Ramsey of Person, Whitley of Guilford, vice-chairmen; Bailey, Britt of Johnston, Carson, Clark of New Hanover, Ervin, Godwin of Gates, High, Johnson of Cabarrus, Johnson of Wake, Leatherman, Pickard, Rountree, Short, Strickland, Sugg, Taylor of Carteret.

Higher Education: Leatherman, chairman; Godwin of Gates, McMillan of Robeson, Mills of Onslow, vice-chairmen; Beatty, Bunn, Carson, Church, Clark of Bladen, Hamrick, Harkins, High, Hill, Hunter of Mecklenburg, Ingle, Kiser, McFadyen, McGlamery, Phillips, Poovey, Rountree, Stanford, Twiggs, Vaughn.

Local Government: Pickard, chairman; Elliott, Hunter of Richmond, Ramsey of Madison, vice-chairmen; Baugh, Burden, Clark of Bladen, Exum, Harrill, Haynes, Hill, Hunter of Mecklenburg, Ingle, Isaac, Jemison, Mauney, McMillan of Robeson, O'Hanlon, Penny, Rountree, Tate, Whitley of Stanly, Williamson.

Propositions and Grievances: Euliss, chairman; Barbee, O'Hanlon, Paschall, vice-chairmen; Baugh, Carson, Clark of Bladen, Craig, Garner, Hege, Mauney, McKnight, McMillan of Robeson, Ramsey of Madison, Stanford, Staton, Whitley of Guilford, Williamson.

Next sessions of the House: 10:00 a.m., Saturday, February 11, 1967, for consideration of local bills only.
7:45 p.m. and 8:00 p.m. (joint session for Governor's budget message), Monday, February 13, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 4

Monday, February 13, 1967

Note: The Senate convened at 9:00 a.m., Saturday, February 11, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Sessions: Senate -- 7:30 p.m.
8:00 p.m. Joint Session

PUBLIC BILLS INTRODUCED -- SENATE

SR 15 - (Joint Resolution) Introduced by Futrell and others
"Inviting the General Assembly to visit Beaufort and Pitt Counties, to inspect the phosphate development program in Beaufort County, and to hold a session of the General Assembly in Beaufort County on Wednesday, April 19, 1967." [As title indicates. Exact hour and place of such session, and places and hours of arrival and departure to be fixed at later date.] To Rules.

LOCAL BILLS INTRODUCED -- SENATE

SB 16 - (Cherokee) Introduced by Brumby
"To amend G. S. 153-6 relating to filling vacancies on the Board of County Commissioners in Cherokee County." [Modifies cited section by adding provision that vacancies in Cherokee County Board of Commissioners be filled by appointment for unexpired term by county executive committee of political party to which commissioner causing vacancy belonged (general law: clerk of superior court fills vacancies by appointment, except that in 38 counties, board of commissioners fills vacancies).] To Counties, Cities & Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

None

LOCAL BILLS

HB 25 - (Wake) Temporary Courthouse. Received from House; passed.

The President added Senator MacLean to the Committee on the Judiciary No. 1

The President added Senators Ellis and Coggins to the Committee on Agriculture.

The President appointed the following Committees as indicated:

Public Utilities: Simmons, chairman; Bailey, vice-chairman; Rauch, vice-chairman; Penn, vice-chairman; Bridgers, Bryan, Buchanan, Dent, Harrington, Matheson, Maxwell, Morgan, Norton, Scott, White of Lenoir, Whitehurst.

Education: Evans, chairman; Henley, vice-chairman; Byrd, vice-chairman; Allen, vice-chairman; Allsbrook, Austin, Bagnal, Boger, Buchanan, Burney, Coggins, Ellis, Gilmore, Green, Griffin, Henkel, Kemp, MacLean, McGeachy, McLendon, Norton, Osteen, Parrish, Rauch, Simmons, Whitehurst.

Counties, Cities and Towns: White of Cleveland, chairman; Maxwell, vice-chairman; Allsbrook, vice-chairman; Allen, Bagnal, Briggs, Coggins, Evans, Hancock, Henley, Kemp, Matheson, McLendon, Penn, Whitehurst, Wood.

Local Government: Griffin, chairman; Alford, vice-chairman; Ellis, vice-chairman; Austin, Bailey, Bridgers, Burney, Gilmore, Henkel, Kemp, Moore, Nielson, Osteen, Rauch, Shuford.

Veterans and Military Affairs: Boger, chairman; Ellis, vice-chairman; Henley, vice-chairman; Allsbrook, Burney, Byrd, Coggins, Dent, Evans, Gilmore, Maxwell, McGeachy, Rauch, Warren.

Public Roads: Harrington, chairman; Buchanan, vice-chairman; Currie, vice-chairman; Boger, vice-chairman; Alford, Allsbrook, Briggs, Brumby, Byrd, Coggins, Dent, Ellis, Evans, Gentry, Gilmore, Green, Hancock, Henkel, Henley, Maxwell, Nielson, Norton, Parrish, Rauch, Warren, Wood.

Election Laws and Legislative Representation: Norton, chairman; Griffin, vice-chairman; Warren, vice-chairman; Alford, Bagnal, Briggs, Buchanan, Currie, Ellis, Gentry, Hancock, Harrington, McGeachy, Moore, Morgan, White of Cleveland.

Next session of Senate: 12 noon, Tuesday, Feb. 14, 1967.

BULLETIN NO. 4
Monday, February 13, 1967

Note: The House convened at 10:00 a.m., Saturday February 11, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 7:45 p.m.
8:00 p.m., Joint Session

PUBLIC BILLS INTRODUCED -- HOUSE

HR 26 - (Joint Resolution) Introduced by Paschall
"Honoring the life and memory of Thomas H. Woodard, former member of the General Assembly." [As title indicates.] Passed three readings and sent to Senate.

HR 27 - (Joint Resolution) Introduced by Roberson and others
"Inviting the General Assembly to visit Beaufort and Pitt Counties, to inspect the phosphate development program in Beaufort County, and to hold a session of the General Assembly in Beaufort County on Wednesday, April 19, 1967." [Identical with SR 15, digested in the Senate section of today's bulletin.] To Rules.

HB 30 - Introduced by Hutchins
"To amend GS 163-165, so as to prohibit loitering, electioneering, placing of posters and related activities within one hundred yards of a voting place." [Amends cited section to prohibit, while the polls are open on election day: (1) loitering or electioneering within 100 yards of a voting place (now: within the polls or within 50 feet thereof) and (2) the placing of any political banner, poster or placard within 100 yards of a voting place (now: in or upon the polling place).] To Elections and Election Laws.

LOCAL BILLS INTRODUCED -- HOUSE

HB 25 - (Wake) Introduced by Johnson, McMillan, Bunn and Twiggs
"Relating to temporary courthouse quarters for Wake County pending the construction of a new courthouse." [Authorizes county comm'rs, until new courthouse is constructed and occupied, to secure by lease or otherwise temporary quarters for courthouse and jail purposes. Quarters, whether in one or several buildings, shall, for all purposes of law, constitute the county courthouse and jail. Board shall erect in lobby or room in temporary courthouse an official bulletin board which shall be a valid posting place for any legal documents required to be posted at the courthouse door or bulletin board. Sales required by statute to be held at courthouse or courthouse door or steps shall be valid when held at place in temporary quarters designated by county board. Sessions of court or any hearings required to be held at courthouse may be held in temporary quarters. Ratifies acts authorized which have been done before effective date of this act.] Passed three readings and sent to Senate.

HB 28 - (Rutherford) Introduced by Harrill
"To amend Chapter 564, Public-Local Laws of 1913, so as to abolish trial by jury in criminal cases in the Recorder's Court in Rutherford County." [Amends cited act as amended by Ch. 264, Public-Local and Private Laws of 1939, by providing right of trial by jury on demand only in civil actions before Rutherford Recorder's Court (now, both civil and criminal). Adds provision that criminal actions in recorder's court be transferred to Superior Court of Rutherford County on written demand for jury trial by either party where trial may be had upon indictment only.] To Courts and Judicial Districts.

HB 29 - (Beaufort) Introduced by Roberson
"To amend GS 153-9(47) relating to county plumbing inspectors, so as to make the same applicable to Beaufort County." [Adds Beaufort to list of counties subject to cited section, which authorizes appointment of county plumbing inspectors.] To Counties, Cities and Towns.

HB 31 - (Union) Introduced by Clark of Union
"To remove Union County from the special sentencing provisions of G.S. 14-107, worthless checks." [Deletes Union from list of counties that are subject to a special provision of the worthless check law that limits punishment on worthless checks of not over $50 to not more than fine of $50 or imprisonment for 30 days.] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HR 26 - (Joint Resolution) Memorializing Woodard. Passed three readings.

LOCAL BILLS

HB 25 - (Wake) Temporary courthouse. Passed.

Next session of House: 12 noon, Tuesday, February 14, 1967.

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SUMMARY OF GOVERNOR'S BUDGET MESSAGE

Delivered at a Joint Session of the General Assembly
of North Carolina at 8:00 p.m., February 13, 1967.

Governor Moore delivered a 30-page Budget Message to the General Assembly today, recommending that the State spend $2,706,462,341 for the 1967-1969 biennium out of total available funds of $2,778,907,759. Of this sum $1,493,838,044 would be derived from General Fund sources and $572,936,243 from the Highway Fund. This budget is $418,861,736, or 18.3%, greater than the current biennium.

The Governor's Message spelled out four income tax relief measures, involving an aggregate biennial revenue loss of $23,300,000, which he is recommending for enactment, effective January 1, 1968:

. . . An increased dependency exemption from $300 to $600 per year (biennial revenue loss $16.5 million).

. . . Additional $600 exemption for each dependent enrolled for full-time study in an institution of higher learning -- including colleges and universities as well as community colleges, technical institutes, business colleges, and barber and beauty schools (biennial revenue loss $3,310,000).

. . . Additional $1,000 exemption for people 65 and older (biennial revenue loss $3,140,000).

. . . Exemption for all service pay of enlisted men, and $500 per month for commissioned officers, while serving in a combat zone, the same exemption as allowed on Federal taxes (biennial revenue loss $350,000).

As to capital expenditures, Governor Moore recommended that $110,904,653, or 68% of the estimated General Fund credit balance of $163,158,791, be used for capital improvements during the coming biennium. Total capital improvements budgeted, including Federal funds and self-liquidating projects, would be $179,718,877. The General Fund capital expenditures represent an increase of $51,283,075, or 86%, over total General Fund and legislative bond appropriations of the 1965 General Assembly, Governor Moore indicated. 59.6% of the recommended General Fund capital appropriations, or $66,117,900, would be allocated to higher education.

Governor Moore dealt in his message with several subjects on which he had made no previous legislative recommendations this year, or on which he made more specific recommendations previously expressed in general terms. Among these were the following:

. . . Interest rates: While expressing continued opposition to increasing the 6% interest ceiling, he recommended that the General Assembly study the credit situation, including the effect of interest laws on orderly growth. If it is found that "adjustments should be made in certain instances, such as home financing, the General Assembly should adopt appropriate" alleviating amendments.

. . . Tax-exempt industrial bonds: As a "defensive measure" against similar action of other states, he recommended consideration of legislation sanctioning industrial aid bonds, subject to approval of a new State Authority, and to other safeguards designed to ensure approval of fiscally sound industries, to make the property of the industrial facilities subject to ad valorem taxes, and to extend the privilege of such bonds to expansion of established NC industries.

. . . Local option sales tax: He recommended serious consideration be given to the Tax Study Commission recommendation that local governments be authorized to add an additional 1% to the sales tax, to be collected by the State Department of Revenue along with the regular sales tax.

. . . State Building Authority: He recommended creation of a State Building Authority, appointed by the Governor, to oversee all capital construction for central State Government in Raleigh, with possible eventual extension to all capital construction for the State.

. . . Salary Adjustment Fund: He recommended creation of a $1 million salary adjustment fund for State Government, to be administered by the Governor as Budget Director.

. . . Liberalized retirement benefits: He commended forthcoming recommendations of the Retirement System Trustees for some liberalization of benefits.

. . . Review of State salaries: He will appoint a blue ribbon commission to advise on the adequacy of top administrative salaries in State Government.

. . . Additional Highway Patrolmen: 125 additional patrolmen are recommended, increasing the Departmental request by 25 men to serve in lieu of civil process servers. (The request for a new class of civil process servers was not approved.)

. . . Travel welcome centers: $255,000 in capital funds are recommended for four new travel welcome centers.

. . . Correctional agencies: The capital budget includes a recommended $4.2 million medium security prison, and $2.8 million for new construction by the Board of Juvenile Corrections.

In overall terms, the Highway Fund current operations budget of $518,690,897 recommended in this message is 6.6% larger than the estimated 1965-1967 expenditures. The General Fund recommendations for 1967-1969 compare with estimated 1965-1967 expenditures as follows:

Subject	1967-69 Total	Increase over Comparable 1965-67
Public Schools	784,335,354	19.96%
Community Colleges	45,733,618	57.8
Higher Education	150,822,450	39.5
Capital Improvements	110,904,653	86.0
Salary Increases	97,430,775	(not comparable)
Health & Hospitals	121,195,612	22.0
Public Welfare	39,273,919	26.2
Blind Commission	15,696,927	30.3
Correctional Agencies	44,015,502	16.0
Regulatory Agencies	9,736,955	12.3
Natural Resources/Recreation	13,364,501	17.3
Agriculture	24,034,712	18.2
Motor Vehicles & Highways	46,063,397	24.9

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BULLETIN NO. 5

Tuesday, February 14, 1967

Session: Senate -- 12:00 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 18 - Introduced by Scott
"To amend G.S. 105-141 and G.S. 105-149 relating to combat pay and income tax exemptions." [Identical with HB 32, digested in the House section of today's bulletin.] To Finance.

SB 19 - Introduced by White of Lenoir
"To make appropriations for current operations of the State departments, institutions, and agencies, and for other purposes." [Identical with HB 34, digested in House section of today's bulletin.] To Appropriations.

SB 20 - Introduced by White of Lenoir
"To make appropriations to provide capital improvements for State institutions, departments and agencies." [Appropriates funds for purposes of construction or renovation of buildings and utilities, acquisition of sites if necessary, and acquisition and installation of equipment at State institutions, departments and agencies, subject to detail in Vol.III of 1967-69 Budget, as follows (note: all details are included in the following digest other than breakdowns of "buildings and equipment", "roads and walks, and parking areas", and similar detail):

GENERAL FUND

GENERAL GOVERNMENT

Department of Administration		$ 11,310,000
1. General Renovations, Bldgs and Grounds	$ 400,000	
2. Extension of Steam Lines	200,000	
3. Revenue Building Addition-Supplement	900,000	
4. Food Freezer Storage, Governor's Mansion	8,000	
5. Exterior Lighting, Governor's Mansion	15,000	
6. Renovate Food Preparation and Service Areas, Governor's Mansion	50,000	
7. Renovate Old Library Building	425,000	
8. Remodel Computer Room, Revenue Bldg.	25,000	
9. New State Office Bldg.	4,300,000	
10. Purchase of Land, Capitol Area	1,925,000	
11. Motor Pool Dispatching Facility	75,000	
12. Exterior Cleaning of Old Revenue Bldg.	12,000	
13. Purchase of Land, Institutional	2,975.000	

PUBLIC SAFETY AND REGULATION			
North Carolina Armory Commission			$ 138,000
1. Storage Building, Raleigh		$ 25,000	
2. Armory, Dunn	$ 150,000		
Less Federal and Local Funds	131,250	18,750	
3. Armory, Monroe	156,000		
Less Federal and Local Funds	136,500	19,500	
4. Armory, Raeford	168,000		
Less Federal and Local Funds	147,000	21,000	
5. Armory, Reidsville	156,000		
Less Federal and Local Funds	136,500	19,500	
6. Armory, Whiteville	156,000		
Less Federal and Local Funds	136,500	19,500	
7. Armory Expansion, Lenoir	36,000		
Less Federal and Local Funds	31,500	4,500	
8. Armory Expansion, Kinston	16,000		
Less Federal and Local Funds	14,000	2,000	
9. Armory Expansion, Hickory	16,000		
Less Federal and Local Funds	14,000	2,000	
10. Armory Expansion, Statesville	25,000		
Less Federal and Local Funds	21,875	3,125	
11. Armory Expansion, Tarboro	25,000		
Less Federal and Local Funds	21,875	3,125	
CORRECTION			
Juvenile Evaluation Center			437.000
1. Re-roofing Building	70,000	70,000	
2. Repair to Smoke Stacks		4,000	
3. Renovation of Electrical Distribution System and Street Lights		50,000	
4. Treatment Unit for 60 Students and 4 Staff Members		313,000	
Stonewall Jackson Training School			663,500
1. Completion of Academic and Vocational School Building		608,000	
2. New Roofs to Replace Metal Roofs on 15 Cottages for Students		11,500	
3. Renovation of Electrical Distribution System and Additional Street Lights		40,000	
4. Two Metal Storage Bins		4,000	
State Home and Industrial School for Girls			615,800
1. One Cottage to House 40 Students and 4 Staff Members		247,000	
2. One Cottage to House 40 Students and 4 Staff Members		247,000	
3. Renovation of Water Treatment Plant		4,000	
4. Renovation of Sewage Disposal Plant		68,000	
5. Equipment Shed		15,000	
6. Storage House for Cured Meats		2,800	
7. Renovation of Superintendent's Residence		10,000	
8. Addition to Deep Freeze Room		22,000	
Morrison Training School			355,000
1. Completion of Water Lines and Fire Hydrants		15,000	
2. Renovation of Electrical Distribution System and Street Lights		25,000	
3. Tile Wall and Floor Repair of Toilets and Showers in Certain Buildings		45,000	

4. Addition to School Building		225,000	
5. Two Staff Cottages		25,000	
6. Slaughter House		20,000	
Eastern Carolina Training School			144,500
1. Renovation of Toilet, Shower and Dressing Areas of Certain Cottages		30,000	
2. Re-wiring of Fountain Cottage		7,500	
3. Renovation and Enlargement of Deep Freeze Rooms		31,000	
4. Renovation of Electrical Distribution System and Street Lights		45,000	
5. Extension of Walks and Drives		16,500	
6. Silo for Dairy Herd and Covered Feeder		8,500	
7. Resilient Tile Floors for New Cottages		6,000	
State Training School for Girls			527,500
1. Addition to School Building		240,000	
2. All-weather Surfaced Walks and Drives		14,500	
3. Completion of Street Lights		10,000	
4. One Cottage to House 50 Students and 6 Staff Members		263,000	
Leonard Training School			58,500
1. Waterproof Old Section of Building		17,000	
2. Deep Freeze Room		26,500	
3. Street Lights		15,000	
Prison Department			4,200,000
1. A 500-Man Institution-Western Part of State		4,200,000	
EDUCATION			
Governor and Advisory Budget Commission			5,000,000
1. Education Reserve Fund		5,000.000	
University of North Carolina (Consolidated)			2,471,000
1. Education Television System Phase 2		1,886,000	
2. Headquarters Building for Consolidated Offices		585,000	
University of North Carolina at Chapel Hill (Health Affairs)			1,696,000
1. Utilities and Site Improvements		665,000	
2. Air Condition Beard Hall		81,000	
3. Dental Education Wing Supplement		950,000	
4. Pharmacology-Toxicology (Supplement)	4,500,000		
Less 1965 N.I.H. Grants	3,200,000		
Less Additional N.I.H. Grants	1,300,000	0	
University of North Carolina at Chapel Hill (Academic Affairs)			9,709,400
1. Utilities and Site Improvements		1,000.000	
2. Air Condition and Renovate Murphey and Saunders Classroom Buildings		637,000	
3. Air Condition and Renovate Manning Hall		605,000	
4. Air Condition and Renovate Graham Memorial Building		394,000	

5.	Renovate Steele Building		280,000	
6.	Renovate Lenoir Dining Hall	700,000		
	Less Self-Liquidating	700,000	-0-	
7.	Renovate Alexander, Connor and Winston Residence Halls	550,000		
	Less Self-Liquidating	550,000	-0-	
8.	Physical Education Facilities		350,000	
9.	Addition to Dey Hall		230,000	
10.	Social Science Classroom and Faculty Office Building	3,420.000		
	Less Federal Funds	1,140,000	2,280,000	
11.	Married Student Housing Units	4,685,000		
	Less Self-Liquidating	4,685,000	-0-	
12.	Building for Business Administration	1,600,000		
	Less Federal Funds	533,300	1,066,700	
13.	Physical Science Building--Chemistry	4,300,000		
	Less Federal Funds	1,433,300	2,866,700	
	North Carolina State University			11,710,600
1.	Building Repairs, Utilities and Improvements		1,000,000	
2.	Polk Hall Renovation and Addition	1,185,000		
	Less Federal Funds	395,000	790,000	
3.	Renovations in Riddick, Mann, Daniels, Broughton and Page Buildings	350,000		
	Less Federal Funds	116,600	233,400	
4.	Leazer Hall Cafeteria Renovation	590,000		
	Less Self-Liquidating	440,000	150,000	
5.	Demolition--Riddick Stadium East Stand		30,000	
6.	Dormitory Improvements	400,000		
	Less Self-Liquidating	400,000	-0-	
7.	Renovate Physics Space in Daniels Hall		25,000	
8.	Air Condition Part of Clark Laboratory		25,000	
9.	Renovate Space in Clark Laboratory		72,000	
10.	Closed Circuit TV--Nelson Hall		40,000	
11.	Equipment for Chemistry Department		325,000	
12.	Equipment for Engineering Department		1,000,000	
13.	Textured Yarn Equipment		50,000	
14.	Equipment for Non-Conventional Fabric Structures		200,000	
15.	Laboratory Garden, School of Design		25,000	
16.	Broughton Hall Addition	605,000		
	Less Federal Funds	201,600	403,400	
17.	Scott Hall Addition and Renovation	440,000		
	Less Federal Funds	146,600	293,400	
18.	Nelson Building Addition	1,590,000		
	Less Federal Funds	530,000	1,060,000	
19.	Library Addition and Expansion	3,725,000		
	Less Federal Funds	1,241,600	2,483,400	
20.	School of Education Building	4,515,000		
	Less Federal Funds	1,505,000	3,010,000	
21.	Food Service Facility	1,100,000		
	Less Self-Liquidating	825,000	275,000	

22.	Central Stores Facility	580,000		
	Less Other Funds	380,000	200,000	
23.	Housing for 800 Single Students	2,720,000		
	Less Self-Liquidating	2,720,000	-0-	
24.	Married Student Apartments	2,200,000		
	Less Self-Liquidating	2,200,000	-0-	
25.	Fraternity Housing	900,000		
	Less Self-Liquidating	900,000	-0-	
26.	Smith Building Purchase, Mineral Research Laboratory, Asheville Building	35,000		
	Less Self-Liquidating	15,000	20,000	
University of North Carolina at Greensboro				6,535,200
1.	Renovation of Campus Utilities, and Heating Plant Improvements		1,190,000	
2.	Renovate Science Building for Physical Sciences	735,000		
	Less Federal Funds	245,000	490,000	
3.	Modernization of Heating System in Old Home Economics Building		110,000	
4.	Pave Outdoor Physical Education Court		10,000	
5.	Air Condition Two Lower Floors McIver Building		45,000	
6.	Addition to Library	3,050,000		
	Less Federal Funds	1,016,600	2,033,400	
7.	School of Education Addition or Annex	530,000		
	Less Federal Funds	176,600	353,400	
8.	Addition to Shop and Warehouse		40,000	
9.	Classroom Building or Buildings	1,685,000		
	Less Federal Funds	561,600	1,123,400	
10.	Nursing Education Building		1,140,000	
11.	Commuting Students Parking Area	160,000		
	Less Self-Liquidating	160,000	-0-	
12.	Dormitory or Dormitories for 1000 Students	3,400,000		
	Less Self-Liquidating	3,400,000	-0-	
University of North Carolina at Charlotte				10,474,300
1.	Renovation of Kennedy Building	125,000		
	Less Federal Funds	41,600	83,400	
2.	Renovation of Liberal Arts Building	33,000		
	Less Federal Funds	11,000	22,000	
3.	Language Laboratory		41,100	
4.	Addition to Library	3,915,000		
	Less Federal Funds	1,305,000	2,610,000	
5.	Expansion of Utilities		805,000	
6.	Campus Lighting		50,000	
7.	Parking, Roads and Walks	250,000		
	Less Self-Liquidating	125,000	125,000	
8.	Health and Education Facility	4,120,000		
	Less Federal Funds	915,600	3,204,400	
9.	Fine Arts Building	2,000,000		
	Less Federal Funds	666,600	1,333,400	
10.	Dormitory for Approximately 1000 Students	3,400,000		
	Less Self-Liquidating	1,700,000	1,700,000	

11. Cafeteria	1,000,000		
Less Self Liquidating	500,000	500,000	
East Carolina College			4,850,600
1. Alterations to Whichard Building	195,000		
Less Federal Funds	65,000	130,000	
2. Classroom Building for Nursing School-Supplement		45,000	
3. Alterations to Flannagan Classroom	930,000		
Less Federal Funds	310,000	620,000	
4. Renovation of Electrical Distribution System		325,000	
5. Additions and Alterations to Main Cafeteria	795,000		
Less Self-Liquidating	795,000	-0-	
6. Addition to Jones Dormitory Cafeteria	235,000		
Less Self-Liquidating	235,000	-0-	
7. Campus Drainage and Development		37,500	
8. Improvement of Campus Streets and Walks		24,500	
9. Science Building for Biology and Physics	3,860,000		
Less HEFA Funds	700,000		
	3,160,000		
Less 1965 Funds	1,380,000		
	1,780,000		
Less Federal Funds	593,300	1,186,700	
10. Classroom Building for Home Economics	1,055,000		
Less HEFA Funds	275,000		
	780,000		
Less 1965 Funds	550,000		
	230,000		
Less Federal Funds	76,600	153,400	
11. Addition to Maintenance Shop	56,500		
Less 1963 Funds	28,000	28,500	
12. General Classroom Building	3,300,000		
Less Federal Funds	1,100,000	2,200,000	
13. Auxiliary Student Supply Store	163,000		
Less Self-Liquidating	163,000	-0-	
14. Equipment for School of Music		100,000	
15. Dormitories for 800 Students	2,720,000		
Less Self-Liquidating	2,720,000	-0-	
Agricultural and Technical College			1,150,000
1. Classroom Building	1,515,000		
Less Federal Funds	505,000	1,010,000	
2. Physical Plant Service and Warehouse Building		115,000	
3. Campus Improvement		25,000	
4. Dormitory for 200 Students	680,000		
Less Self-Liquidating	680,000	-0-	
5. Air Condition and Renovation of Cafeterias (Brown and Murphy)	271,000		
Less Self-Liquidating	271,000	-0-	

Western Carolina College			2,233,000
1. Renovation of Hoey Auditorium		50,000	
2. Rebuild Sub-station and Replace Street Lights on Old Part of Campus		50,000	
3. Two 400-Student Dormitories	2,720,000		
Less Self-Liquidating	2,720,000	-0-	
4. Fine Arts and Industrial Arts and Home Economics Building	2,442,000		
Less Federal Funds	814,000	1,628,000	
5. Physical Education Fields		65,000	
6. Expansion of Utilities		65,000	
7. Utilities (New Steam Boiler)		125,000	
8. Addition to Sewage Disposal Plant		250,000	
9. Addition to Laundry	75,000		
Less Self-Liquidating	75,000	-0-	
Appalachian State Teachers College			2,685,000
1. Addition to Rankin Science Building	2,640,000		
Less Federal Funds	880,000	1,760,000	
2. Central Warehouse		104,000	
3. Tennis Courts		40,000	
4. Dormitories for 1200 Students	4,080,000		
Less Self-Liquidating	4,080,000	-0-	
5. Housing for Faculty and Married Students	2,000,000		
Less Self-Liquidating	2,000,000	-0-	
6. Campus Development		180,000	
7. Air Condition New Library		150,000	
8. Air Condition New Administration Building		65,000	
9. Air Condition Areas in Duncan Hall		20,000	
10. Coal Elevator for Steam Plant		50,000	
11. Upgrading Campus Electrical System		300,000	
12. Expansion of College Laundry	100,000		
Less Self-Liquidating	100,000	-0-	
13. Additional Foods Laboratory		16,000	
Pembroke State College			556,400
1. Renovate Sampson Hall to Admin. Office		25,000	
2. Air Condition Moore and Locklear Halls		100,000	
3. Addition to Student Center	210,000		
Less Self-Liquidating	210,000	-0-	
4. Five Oil-Fired Units		24,000	
5. Extension of Campus Lighting System		15,000	
6. Extension of 6" Water Line		3,000	
7. Classroom Building	515,000		
Less Federal Funds	171,600	343,400	
8. Environmental Room for Science Dep't.		31,000	
9. Dormitories for 200 Students	680,000		
Less Self-Liquidating	680,000	-0-	
10. Vehicle Garage		15,000	

Winston Salem State College			837,100
1. Campus Lighting		25,000	
2. Roads, Walks and Parking Areas	80,000		
Less Self-Liquidating	40,000	40,000	
3. Completion of Track and Recreation Area		70,000	
4. Band, Orchestra and Visual Aids Equipment		42,000	
5. Addition to Music and Arts Building	85,000		
Less Federal Funds	28,300	56,700	
6. Renovation of Administration Bldg.		360,000	
7. Renovation of Bickett Hall	80,000		
Less 1963 Funds	30,000	50,000	
8. Completion of Science Building	200,000		
Less Federal Funds	66,600	133,400	
9. Steam Header		60,000	
Elizabeth City State College			260,400
1. Renovation of Moore Hall	185,000		
Less Federal Funds	61,600	123,400	
2. Storm Sewer Expansion		7,000	
3. Underground Wiring and Street Lighting		130,000	
Fayetteville State College			670,400
1. Renovation of Library	65,000		
Less Federal Funds	21,600	43,400	
2. Electrical Renovation of Joyner and Hood Hall		30,000	
3. Roads, Walks and Parking Areas	60,000		
Less Self-Liquidating	20,000	40,000	
4. New Administration Building		475,000	
5. Maintenance Building		82,000	
North Carolina College at Durham			339,000
1. Renovations to Administration Bldg.			
Building	120,000		
Air Conditioning	159,000		
	279,000		
Less 1963 Funds	160,000	119,000	
2. Repairs to Men's Gymnasium		50,000	
3. Roads and Parking Areas		35,000	
4. Resurfacing Tennis Courts and Refinishing Track		39,000	
5. Installation of Clock System		18,000	
6. Addition to Storage Building		35,000	
7. Addition to Maintenance Shop		43,000	
Asheville Biltmore College			2,060,100
1. Expansion of Student Center Dining Room	70,000		
Less Self-Liquidating	70,000	-0-	
2. Addition to Science Building	500,000		
Less Federal Funds	166,600	333,400	
3. Addition to Physical Education Bldg.	556,000		
Less Federal Funds	185,300	370,700	
4. Physical Education Playing Fields		100,000	
5. Electrical Distribution and Campus Lighting		100,000	
6. Sidewalks and Landscaping		11,000	
7. Dormitories for 300 Students		1,020,000	
8. Paving Streets and Parking Areas		95,000	
9. Addition to Plant Maintenance Building		30,000	

Wilmington College			1,604,400
1. Dormitory for 200 Students	680,000		
Less Self-Liquidating	340,000	340,000	
2. Dormitory for 200 Students	680,000		
Less Self-Liquidating	340,000	340,000	
3. Cafeteria	750,000		
Less Self-Liquidating	375,000	375,000	
4. Water and Sewer Connection		60,000	
5. Electrical Transmission Lines		25,000	
6. Education and Psychology Building	500,000		
Less Federal Funds	166,600	333,400	
7. Garage and Shop		31,000	
8. Roads and Parking Areas	175,000		
Less Self-Liquidating	75,000	100,000	
State Board of Education			
Department of Community Colleges			1,246,653
1. 14 Existing Technical Institutes	1,911,650		
Less Federal Funds	664,997	1,246,653	
Governor Morehead School			275,000
1. Remodel and Rewire Kindergarten Cottage--Pullen Park Division	49,500		
Less 1965 Funds	15,500	34,000	
2. Connection to City Sewage System--Garner Road Division		45,000	
3. Replace No. 3 Boiler--Garner Road Division	32,000		
Less 1965 Funds	20,000	12,000	
4. Rewire and Remodel Superintendent's Residence--Pullen Park Division		15,000	
5. Air Condition Superintendent's Offices--Pullen Park Division		10,000	
6. Addition to Grocery Storeroom, Pullen Park Division		10,000	
7. Widening Certain Streets and Providing Additional Parking Area--Pullen Park Division		6,000	
8. Service Roads--Pullen Park Division		7,000	
9. New Road from Western Boulevard to Kindergarten Cottage--Pullen Park Div.		16,000	
10. New Entrance to Dining Room--Garner Road Division		15,000	
11. New Entrance, Main Building--Garner Road Division		10,000	
12. Completion of Primary Unit--Garner Road Division		95,000	
Eastern North Carolina School for the Deaf			1,725,000
1. Complex Unit		1,230,000	
2. Multi-Purpose Building		90,000	
3. Gymnasium and Swimming Pool		330,000	
4. Storage Building		15,000	
5. Landscaping and Parking		15,000	
6. Heating Plant--Supplement		45,000	

North Carolina School for the Deaf			282,500
1. Rework Outside Electrical Distribution System		100,000	
2. Additional Boiler		160,000	
3. Comprehensive Clinic	75,000		
Less Federal Funds	52,500	22,500	
North Carolina School of the Arts			1,275,000
1. Air Condition Two Existing Dormitories	95,000		
Less Self-Liquidating	95,000	-0-	
2. Common Facilities		760,000	
3. Offices and Bookstore		50,000	
4. Ten Lower-Division Student Housing Units	1,500,000		
Less Gifts	250,000		
Less Self-Liquidating	785,000	465,000	
Department of Archives and History			760,000
1. Renovation of State Records Center		75,000	
2. Archives Library Building Supplement		610,000	
3. Open Shelter Over Confederate Gunboat Neuse, Lenoir County		75,000	
North Carolina Museum of Art			60,000
1. Renovation and Repairs to Museum of Arts Building		60,000	
NON-HIGHWAY TRANSPORTATION			
State Ports Authority			4,040,000
1. Dock Extension--Wilmington		1,500,000	
2. Transit Shed--Wilmington		575,000	
3. Warehouse--Wilmington		720,000	
4. Rehabilitate Warehouse No. 1, Wilmington		225,000	
5. Warehouse--Morehead City		720,000	
6. Gantry Crane--Morehead City		300,000	
HEALTH AND HOSPITALS			
Medical Care Commission			2,100,000
1. Aid to Community Hospital Facilities		1,500,000	
2. Aid to Community Mental Health Centers		600,000	
Dorothea Dix Hospital			1,977,000
1. Renovation of Lineberger Building		280,000	
2. Renovation of Hoey Building		285,000	
3. Renovation of Williams Building		285,000	
4. Renovation of Ashby Building		250,000	
5. Renovation of Adams Building	240,000		
Less 1963 Funds	185,000	55,000	
6. Replacement of Certain Utility Lines		115,000	
7. Kitchen Air Handling System		10,000	
8. Rewiring Laundry Building		25,000	
9. Renovation of Chapel		75,000	
10. Additional Freezer Space in Cold Storage		16,500	
11. Bridge and Walkway		30,000	
12. Waterproof Exterior of Certain Bldgs.		30,000	
13. Heating Systems in 140 Personnel Residences		120,000	
14. Air Condition Auditorium, Haywood Bldg.		35,000	

15.	Soiled Linen Facility, Dobbin Infirmary		7,000	
16.	Warehouse Addition		85,000	
17.	Vocational Rehabilitation Building	440,000		
	Less Federal Funds	330,000	110,000	
18.	Paint and Exterminating Building		28,500	
19.	Renovate Heating System, South Portion Male Wing		65,000	
20.	Road and Parking Area Improvements		70,000	
	Broughton Hospital			1,938,000
1.	Renovation of 13 Wards		725,000	
2.	New Windows, Fireproof Ceiling, New Roof, Toilets and Storage--Ward 27		125,000	
3.	New Windows and Detention Screens for Certain Buildings		250,000	
4.	New Heating, Air Conditioning and Lights in Certain Wards		335,000	
5.	Hot Water Circulating System and Pumps		35,000	
6.	Improvement to Electrical System at Power Plant		35,000	
7.	New Windows, Rewiring and Lights--Center Building		75,000	
8.	Paving Roads, Walks and Parking Areas		110,000	
9.	Conversion of old Recreation Hall		60,000	
10.	Rehabilitation Facility Building	612,000		
	Less Federal Funds	459,000	153,000	
11.	New Fire Truck		35,000	
	Western Carolina Center			1,633,000
1.	Air Condition Three School Buildings and Administration Building		75,000	
2.	Air Condition Five "B" Buildings		165,000	
3.	Addition to Infirmary		150,000	
4.	Annex to Administration Building		55,000	
5.	Maintenance and Carpenter Shop Building		102,000	
6.	Combination Warehouse and Employees Cafeteria		355,000	
7.	School Building for Trainable and Non-Ambulatory Children		285,000	
8.	Therapeutic Pool for year-round Use		168,000	
9.	Dormitory Building		278,000	
	Cherry Hospital			3,182,000
1.	Renovation of New and Blue Buildings	600,000		
	Less Federal Funds	450,000	150,000	
2.	Partitions Between Bathroom Fixtures in Patient Dormitories		20,000	
3.	Renovation of Dormitory (E.P. Building)		680,000	
4.	Renovation of Dormitory (Receiving Building)		640,000	
5.	Renovation of Dormitory (U-1 Building)		650,000	
6.	Renovation of Chapel		110,000	
7.	Air Condition McFarland Building		55,000	
8.	Rewire and Install New Heating Systems in Seven Staff Houses		30,000	
9.	Central Heating Units for 34 Employees Cottages		40,000	
10.	High Temperature Hot Water Distribution System		325,000	

11. Electrical Distribution System Improvement		100,000	
12. Curbs, Gutters, Sidewalks and Paving		45,000	
13. Staff Cafeteria		252,000	
14. Intercom and Paging System		85,000	
			972,000
O'Berry Center			
1. Air Condition Employees Cafeteria		20,000	
2. Sheltered and Paved Play Yards		25,000	
3. 80-Bed Infirmary Addition	315,000		
Less 1965 Funds	177,000	138,000	
4. Air Condition Two Dormitories		225,000	
5. Addition to Main Kitchen		62,000	
6. Enlarge Dormitory Reception Rooms		35,000	
7. Parking Areas		17,000	
8. Swimming Pool	100,000		
Less 1963 Funds	70,000	30,000	
9. Two Therapeutic Centers		420,000	
			2,378,000
John Umstead Hospital			
1. Therapeutic Center, Chapel and Canteen		950,000	
2. Emergency Lighting, Medical Wards		15,000	
3. Renovate Building No. 27		575,000	
4. Renovate Building No. 24 for Student Nurses		368,000	
5. Air Condition Certain Areas		250,000	
6. Alterations to Warehouses		45,000	
7. Auto-Analyzer		20,000	
8. Purchase of Tractor		25,000	
9. Apartments for Psychiatric Residents		130,000	
			274,000
Murdoch Center			
1. Outdoor Swimming Pool	100,000		
Less 1963 Funds	70,000	30,000	
2. Air Condition Employees Cafeteria		20,000	
3. Development of Playground Area		15,000	
4. Addition to Maintenance Shop		16,000	
5. Clinic Facility for Staff and Consulting Physicians		55,000	
6. Annex to Administration Building		138,000	
			669,200
Caswell Center			
1. Heating Renovations--Idiot Colonies		125,000	
2. Renovation of Bath Area--Dawson Bldg.		17,500	
3. Install Ceramic Tile in Austin Bldg.		40,000	
4. Exterior Repairs to Austin and Old Kitchen Buildings		35,000	
5. Individual Heating Systems for 11 Staff Houses		15,000	
6. New Roof for Recreation Building		15,000	
7. Addition to Vocational Rehabilitation Building	565,000		
Less Federal Funds	350,300	214,700	
8. Eight Unit Milking Facility		22,000	
9. Canopied Sidewalks		35,000	
10. Cold Storage Plant		150,000	

Western North Carolina Sanatorium		107,500
1. Repairs and Alterations to Stair Towers	25,000	
2. Replacing Sterilizing Equipment	22,500	
3. Renovation to Kitchen and Dining Area	60,000	

NATURAL RESOURCES AND RECREATION

Department of Conservation and Development		1,301,000
Division of Travel Information and Promotion:		
1. Four Tourist Welcome Centers	255,000	
Division of Commercial and Sports Fisheries:		
2. Prestressed Concrete Dock	95,500	
3. Gear Storage Shed	7,500	
Division of Forestry:		
4. Fairfield District Headquarters Unit	43,000	
5. Sylva Headquarters Unit	42,000	
6. Addition to Buildings Whiteville Headquarters	75,000	
7. Addition to Buildings Elizabeth City Headquarters	48,000	
8. Moving 100' Tower from Plymouth to Troy	7,500	
9. 120' Tower, Hoke County	20,000	
10. Tower, Pender County	19,500	
11. 72' Tower--Rutherford-Polk County Line	17,500	
12. 100' Tower, Granville County	17,500	
13. Moving 120' Tower from Rosemead to Edenton	12,000	
14. 120' Tower, Camden County	19,000	
15. Tower Residence--Haywood County	11,000	
16. Tower Residence--Polk-Rutherford County Line	11,000	
17. Renovate Shipping Building Clayton Nursery	12,000	
18. Radio Shop--Buncombe County	11,000	
19. Office Building--Elizabeth City	24,000	
20. Headquarters Building, Workshop, Equipment Shelter--Hertford County	14,500	
Division of State Parks:		
21. Maintenance and Service Area on Mainland--Hammocks Beach	42,300	
22. Reception Area--Hammock's Beach	10,000	
23. Replacement of Primary Water Supply System--Mount Mitchell State Park	7,500	
24. Refreshment Stand--Jones Lake State Park	17,200	
25. Garbage Disposal--Mount Mitchell State Park	12,000	
26. Service Road to Public Camping and Garbage Disposal--Mount Mitchell State Park	75,000	
27. Telephone Line--Mount Mitchell State Park	15,000	
28. Restoration Work on Fort and Addition to Picnic Area--Fort Macon State Park	50,000	
29. Pave Roads and Parking Area--Reedy Creek State Park	25,000	
30. Paving Road and Parking Area--Mount Jefferson State Park	60,000	

31.	Construction and Reconstruction of Fire, Hiking and Nature Trails--Morrow Mountain State Park	39,000	
32.	Construction and Reconstruction of Fire, Hiking and Nature Trails--Hanging Rock State Park	41,000	
33.	Fire Trails, Park Improvement and Landscaping--Jones Lake State Park	39,000	
34.	Trails, Park Improvement and Landscaping--William B. Umstead State Park	45,000	
35.	Construction and Reconstruction of Trails, Park Improvement and Landscaping--Reedy Creek State Park	33,500	
36.	Addition to Maintenance and Service Area--William B. Umstead State Park	14,500	
37.	Addition to Picnic Area--Mount Jefferson State Park	12,500	
	Kerr Reservoir Development Commission		143,500
1.	Central Wash-house--Satterwhite Point	16,000	
2.	30 Tent Campsites--Satterwhite Point	13,000	
3.	Toilet Building, Marina--Satterwhite Point	6,000	
4.	Two Toilet Buildings, Camping Area--Satterwhite Point	12,000	
5.	Public Boat Dock--Satterwhite Point	6,000	
6.	Toilet Building--Bullocksville Park	6,000	
7.	35 Tent Campsites--Bullocksville Park	12,000	
8.	Central Wash-house--Bullocksville Park	16,000	
9.	Ranger Residence--Nutbush Bridge	8,500	
10.	40 Tent Campsites--Nutbush Bridge	15,000	
11.	Two Toilet Buildings--Nutbush Bridge	12,000	
12.	Concrete Launching Ramp--Nutbush Bridge	3,000	
13.	Toilet Building--County Line	6,000	
14.	Toilet Building--Kimball Point	6,000	
15.	Toilet Building--Flemington Road Marina	6,000	
	Department of Water Resources		736,600
1.	Wilmington--Kure Beach Erosion Control	420,000	
2.	Ocracoke Island Beach Erosion Control	134,200	
3.	Manteo Harbor Navigation Project	17,600	
4.	Broad Creek Flood Control Project	18,400	
5.	MacRay Creek Flood Control Project	20,000	
6.	Pungo Creek Flood Control Project	64,800	
7.	Scuppernong Flood Control Project	47,200	
8.	Buck Creek Flood Control Project	14,400	
AGRICULTURE			
	Department of Agriculture		385,000
	Research Stations:		
1.	Renovation of Experimental Barn Piedmont Research Station	11,000	
2.	Remodeling of Dairy Barn Coastal Plain Research Station	5,000	
3.	Paving Beef Cattle Area--Tidewater Research Station	7,500	
4.	Silo and Feed Distribution System Upper Mountain Research Station	7,500	
5.	Irrigation System Piedmont Research Station	30,000	

6.	Irrigation System			
	Peanut Belt Research Station		20,000	
7.	Office and Utility Building			
	Upper Coastal Plain Research Station		28,000	
8.	Peanut Drying System			
	Peanut Belt Research Station		16,000	
9.	Two Laborer's Dwellings			
	Upper Coastal Plain Research Station		25,000	
10.	Silos and Concrete Slab Feeding Area--			
	Piedmont Research Station		10,500	
11.	Sheep Barn			
	Upper Mountain Research Station		8,700	
12.	Dwelling for Assistant Herdsman			
	Upper Mountain Research Station		12,500	
13.	Four Dairy Silos			
	Piedmont Research Station		11,200	
14.	Fertilizer and Pesticide Storage Building			
	Upper Coastal Plain Research Station		9,500	
15.	Foreman's Dwelling--Peanut Belt			
	Research Station		15,500	
16.	Laborer's Dwelling--Mountain Research			
	Station		12,500	
17.	Two Laborer's Dwellings--Piedmont			
	Research Station		25,000	
18.	Beef Cattle Feeding Facility--			
	Upper Coastal Plain Research Station		10,100	
19.	Milking Facility--Coastal Plain			
	Research Station		16,500	
20.	Deep Well Water System--Upper			
	Mountain Research Station		3,000	
	State Fair:			
21.	Remodeling of Two Exhibit Halls			
	State Fair Grounds	570,000		
	Less Self-Liquidating	570,000	-0-	
22.	Electrical Modifications			
	State Fair Grounds		100,000	
	Agricultural Experiment Station			
	North Carolina State University			151,000
1.	Outlying Research Stations			
	Central Crops Station	12,500		
	Sandhills Station	18,000		
	Horticultural Crops Station	25,500		
	Mountain Horticultural Crops Station	55,000		
	Upper Piedmont Station	40,000	151,000	
TOTAL--GENERAL FUND				$110,904,653

HIGHWAY FUND

PUBLIC SAFETY AND REGULATION			
Department of Motor Vehicles			701,800
1. Office Building--Reidsville		85,000	
2. Office Building--Rockingham		85,000	
3. Building for Radio Maintenance Williamston		15,500	
4. Building for Radio Maintenance Greensboro		15,500	
5. Building for Radio Maintenance Salisbury		15,500	
6. Building for Radio Maintenance Asheville		15,500	
7. Purchase Fourth Floor of Motor Vehicles Building from Wildlife Commission		200,000	
8. Office Building--Conover	85,000		
Less 1963 Funds	28,900	56,100	
9. Office Building--Bryson City	85,000		
Less 1963 Funds	52,400	32,600	
10. Office Building--Waynesville	85,000		
Less 1963 Funds	52,400	32,600	
11. Troop "C" Headquarters Building Raleigh	315,000		
Less 1965 Funds	265,000	50,000	
12. Office Building--Jacksonville	85,000		
Less 1965 Funds	63,500	21,500	
13. Office Building--Morganton	85,000		
Less 1965 Funds	63,500	21,500	
14. Office Building--Whiteville	85,000		
Less 1965 Funds	63,500	21,500	
15. Office Building--Roanoke Rapids	85,000		
Less 1965 Funds	63,500	21,500	
16. Office Building--Clinton	52,500		
Less 1965 Funds	40,000	12,500	
HIGHWAYS			
State Highway Commission			3,673,800
1. Replace Air Conditioning Unit Highway Building	31,000		
2. Purchase of Land in Beaufort, Ashe, Wayne, Alleghany, Macon and Edgecombe Counties from Prison Department	61,000		
3. Maintenance Facilities--Rockingham	57,500		
4. District Office Bldg.--Greenville	42,500		
5. Maintenance Building and Fencing Burke County	23,000		
6. Metal Storage Shed--Rosman	12,500		
7. Storage Shed, Elkin	14,500		
8. Service Station, Fayetteville	7,000		
9. Truck Shed and Storage Building--Kenansville	12,000		
10. Storage Building--Boone	16,000		
11. Maintenance Headquarters and Storage Building, Sparta	11,050		
12. Metal Storage Building, Warrensville	14,500		
13. Headquarters Building, Kinston	30,000		
14. Blacksmith Shop and Storage Building, Fayetteville	22,000		

15.	Landscape Warehouse--Carthage	12,000
16.	District and Resident Engineers Office Building--Rowan County	70,000
17.	Office and Assembly Building Albemarle	30,000
18.	District Engineer's Office--Statesville	60,000
19.	Office, Assembly and Storage Building--Morganton	22,000
20.	Office and Storage Building--Columbus	12,000
21.	District Shop, Warehouse and Fence--Elizabeth City	84,000
22.	Traffic Signal and Traffic Survey Equipment Maintenance Shop--Wake County	74,000
23.	Modification of Existing Highway Building--Raleigh	100,000
24.	Truck Shed, Storage and Assembly Room--Swanquarter	32,000
25.	Headquarters Building--Greenville	25,000
26.	Filling Station--Wilmington	11,500
27.	Blacksmith Shop, Sign Shop and Storage--Wilson	22,000
28.	District and Resident Engineer's Office--Method	80,000
29.	Office and Assembly Building--Mount Pleasant	30,000
30.	Division Sign Shop and Equipment Storage Building--Shelby	55,000
31.	Division Office Building Addition--Asheville	100,000
32.	Division Office Building Addition--Sylva	60,000
33.	District Shop and Warehouse and Fencing--Rockingham	84,000
34.	Truck Shed, Storage and Assembly Room--Bertie County	35,000
35.	Headquarters Building--Green County	25,000
36.	Division Office Building Addition--Wilmington	45,000
37.	Maintenance and Storage Building--Wilson	28,000
38.	Traffic Services Woodwork Shop--Durham	21,000
39.	Storage Building, Sign Department, Winston-Salem	18,000
40.	Resident Engineer's Office--Charlotte	45,000
41.	Equipment Shed--Newton	15,000
42.	Storage Building--Hendersonville	30,000
43.	District Shop and Warehouse and Fencing--North Wilkesboro	84,000
44.	Personnel Assembly Building--Currituck County	12,000
45.	Servicing Equipment Building--Currituck County	20,000
46.	District Engineer's Office --Lumberton	52,000

47.	Purchase of Land from Prison Department--Moore County	2,750
48.	Resident Engineer's Office--Mount Pleasant	30,000
49.	Purchase of Land--Robbinsville	1,500
50.	Sub Shop and Fencing--Hudson	41,000
51.	Landscape Storage Building and Personnel Assembly Room--Hertford County	24,000
52.	Landscape Storage Facility--Durham	35,000
53.	Landscape Storage Warehouse--Huntersville	14,000
54.	Truck Shed and Storage Building--Caldwell County	46,000
55.	Division Office Building--Ahoskie	165,000
56.	Division Office Building Division Five	165,000
57.	Office Building--Burgaw	12,000
58.	Storage Building--Burgaw	10,000
59.	Truck Shed--Burgaw	10,000
60.	Lumber Shed--Burgaw	10,000
61.	Greasing and Washing Facility--Wilmington	24,000
62.	Greasing and Washing Facility--Wilson	24,000
63.	Service Station--Graham	24,000
64.	Greasing and Washing Facility--Avery County	20,000
65.	Office Building--Elizabeth City	12,000
66.	Greasing and Washing Facility--Fayetteville	24,000
67.	Service Station--Yanceyville	24,000
68.	Purchase of Land--Hoke County	15,000
69.	Maintenance Building--Hoke County	30,000
70.	Greasing and Washing Facility--Spencer	20,000
71.	Greasing and Washing Facility--Caldwell County	20,000
72.	Storage Building--Elizabeth City	12,000
73.	Truck Shed--Elizabeth City	10,000
74.	Lumber Shed--Elizabeth City	10,000
75.	Chain Link Fence--Elizabeth City	4,500
76.	Greasing and Washing Facility--Lumberton	20,000
77.	Service Station--Hillsborough	24,000
78.	Service Station--Hoke County	7,000
79.	Warehouse--Hoke County	14,000
80.	Greasing and Washing Facility--Watauga County	20,000
81.	Greasing and Washing Facility--Morganton	24,000
82.	Office Building--Asheville	14,000
83.	Storage Building--Asheville	14,000
84.	Truck Shed--Asheville	10,000
85.	Lumber Shed--Asheville	10,000
86.	Fencing and Grading--Asheville	12,500
87.	Equipment Service Building--Washington	24,000
88.	Greasing and Washing Facility--Kenansville	22,000

89.	Greasing and Washing Facility--Nash County	24,000	
90.	Four Greasing and Washing Facilities at Oxford, Bunn, Roxboro and Warrenton	116,000	
91.	Service Station--Sandy Ridge	24,000	
92.	Greasing and Washing Facility--Carthage	20,000	
93.	Truck Shed and Storage Building--Avery County	46,000	
94.	Greasing and Washing Facility--Spruce Pine	24,000	
95.	Greasing and Washing Facility--Hazelwood	20,000	
96.	Equipment Service Building--New Bern	24,000	
97.	Greasing and Washing Facility--Clinton	22,000	
98.	Greasing and Washing Facility--Edgecombe County	24,000	
99.	Service Station--Camp Burton	24,000	
100.	Greasing and Washing Facility--Sanford	18,000	
101.	Greasing and Washing Facility--Marion	20,000	
102.	Greasing and Washing Facility--Brevard	20,000	
103.	Chain Link Fence--Burgaw	4,500	
104.	Greasing and Washing Facility--White Lake	20,000	
105.	Seven Weighing Stations in Wake, Orange, Mecklenburg, Robeson, Iredell, Rowan and Forsyth Counties	420,000	
TOTAL--HIGHWAY FUND			$4,375,600

WILDLIFE RESOURCES FUND

NATURAL RESOURCES AND RECREATION

	Wildlife Resources Commission		901,127
1.	Purchase of Land, Caswell Land Use Area	89,127	
2.	Additional Facilities, Armstrong Creek Hatchery	50,000	
3.	Purchase of Boating and Fishing Access Areas	30,000	
4.	Office Building--Wake County	545,000	
5.	Residence, Sandhills Nursery	19,000	
6.	Reeves Ferry Access Area	12,000	
7.	Tillery Lake Access Area	12,000	
8.	Yadkin River Access Area	17,000	
9.	Cannon's Ferry Access Area	19,000	
10.	Equipment Shed, Caswell Area	4,000	
11.	Equipment Shed, Mattamuskeet	4,000	
12.	Roanoke River Access Area	19,000	
13.	Lennon's Bridge Access Area (Motorboat Section)	15,000	

14. Lumber River Access Area (Motorboat Section)	16,000
15. Office Building Supplement (Motorboat Section)	50,000
TOTAL--WILDLIFE RESOURCES FUND	$901,127
GRAND TOTAL--ALL FUNDS	$116,181,380

General Provisions: Funds to be disbursed on warrants drawn by State Disbursing Officer but not until requisition has been approved by Director of Budget in compliance with Executive Budget Act. Any official who votes for or aids in spending more money for improvements than is appropriated may be removed from office by Governor. Any additional moneys received from federal grant or other source to aid in financing the cost of any of the capital improvements may be placed by State Treasurer in same or separate fund, and to extent permitted by terms of grant, shall be disbursed in same manner and for same purposes mentioned in act. Appropriations for student housing not to exceed $3,400 per student to be housed. Director of Budget may make transfers and changes between appropriations made in act, within appropriations made to each separately named agency or institution, to provide changes to permit completion of projects as described in appropriation and detailed in Vol. III of 1967-69 Budget. Governor and Advisory Budget Comm'n may, on request of agency or institution, delete any project in act and substitute another therefor if Comm'n deems it in best interest of State; substituted project takes precedence over projects enumerated in act, within limit of available funds. Advisory Budget Comm'n may, on request of agency or institution, authorize increase or decrease in size or scope of any project authorized in act, within available funds. Equipment funds are not subject to transfer into construction accounts unless authorized by Advisory Budget Comm'n, but equipment funds may be expended under construction accounts to the amount required for fixed equipment attached to the building for which intended. Intent of act is that projects be completed (including equipment and furnishings) within limits of appropriations and authorizations herein. $5 million Education Reserve Fund provided for in act to be used at discretion of Governor and Advisory Budget Comm'n at request of institutions of higher learning for completion of listed projects, where grant application denied, to extent only of funds indicated in this act and not to enlarge projects or initiate new ones. Construction of all projects enumerated in act to be begun by December 31, 1968, or appropriation shall revert, and no transfer to other projects shall be allowed. Unencumbered balances in Capital Improvement Funds of 1959, 1961, 1963 and 1965 to revert to General Fund on December 31, 1968. (December 31, 1968 deadlines may be extended when, in the opinion of Governor and Advisory Budget Comm'n, justified by real emergency.) Institutions and agencies may apply to any federal agency for grants-in-aid for construction of projects mentioned in act, and receive and expend grants in accordance with terms of grant and State law. Effective July 1, 1967.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 17 - (Catawba) Introduced by Shuford
"To revise the corporate limits of the town of Conover in Catawba County." [Excludes area defined by metes and bounds from the corporate area of Conover.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

HR 26 - (Joint Resolution) Memorializing Woodard. *Received from House; passed three* readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committee to which referred and final action are reported.]

None

The President added Senator Burney to the Committee on Public Roads.

The President appointed the following Committees as indicated:

Retirement, Employment Security: Green, chairman; Brumby, vice-chairman; Rauch, vice-chairman; Alford, Austin, Bailey, Bryan, Currie, Evans, Futrell, Nielson, Penn, Shuford, White of Cleveland.

Wildlife: Gilmore, chairman; Bridgers, vice-chairman; Green, vice-chairman; Moore, vice-chairman; Brumby, Byrd, Gentry, Hancock, Harrington, MacLean, Matheson, Morgan, Parrish, Penn, Scott, Shuford.

Finance: Scott, chairman; Kemp, vice-chairman; Alford, vice-chairman; White of Lenoir, vice-chairman; McLendon, vice-chairman; Allen, Briggs, Bryan, Buchanan, Coggins, Currie, Ellis, Evans, Green, Griffin, Hancock, Henkel, Henley, MacLean, Maxwell, Osteen, Penn, Shuford, Simmons, Whitehurst, Wood.

Appropriations: White of Lenoir, chairman; Moore, vice-chairman; Byrd, vice-chairman; McGeachy, vice-chairman; Scott, vice-chairman; Allsbrook, Austin, Bagnal, Bailey, Boger, Bridgers, Brumby, Burney, Dent, Futrell, Gentry, Gilmore, Harrington, Matheson, Morgan, Nielson, Norton, Parrish, Rauch, Warren, White of Cleveland.

BILLS RATIFIED

HR 2 - (Joint Resolution) Memorializing Warren. [R 3]

HB 25 - (Wake) Temporary courthouse. [Ch. 1]

Next session of Senate: 12 noon, Wednesday, Feb. 15, 1967.

BULLETIN NO. 5
Tuesday, February 14, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 32 - Introduced by Eagles and others

"To amend G.S. 105-141 and G.S. 105-149 relating to combat pay and income tax exemptions." [Amends GS 105-141(b) by adding new subdivision (12) that exempts from state income taxation by excluding from "gross income": (1) all compensation for active service (not including pension and retirement pay) of members of US Armed Forces below grade of commissioned officer for months during which serviceman served in combat zone or was hospitalized as result of wounds,disease, or injury incurred while serving in combat zone (not to apply if there is no combatant activities in zone); and (2) all compensation for such service not in excess of $500 per month of commissioned officers (not including warrant officers). Combat zone is defined as any area the President by executive order designates as one in which US Armed Forces are or have been engaged in combat, and service is performed "in a combat zone" only if performed after date designated by President as date of commencing of combatant activities in such zone.

Amends GS 105-149(a) and 105-163.1(3) by: (1) increasing income tax dependent exemption from $300 to $600; (2) adding new provision to provide for an additional exemption of $600 for each dependent who is full-time student at accredited college or university or other institution of higher learning under such rules as may be prescribed by Commissioner of Revenue; full-time student is defined as a dependent enrolled in full-time study on last day of income year or enrolled for full-time study for period of at least five months (whether or not consecutive) during income year; and (3) adding new subdivision providing for exemption of $1000 for individuals who have reached age 65 on or before last day of taxable year, in addition to all other exemptions already allowed. Effective for income years beginning on or after Jan. 1, 1968.] To Finance.

HB 33 - Introduced by Greenwood

"To make appropriations to provide capital improvements for State institutions, departments, and agencies." [Identical with SB 20, digested in the Senate section of today's bulletin.] To Appropriations.

HB 34 - Introduced by Greenwood

"To make appropriations for current operations of the state departments, institutions, and agencies, and for other purposes." [Appropriates from the General, and Highway Funds according to the following schedule:

GENERAL FUND

I. GENERAL GOVERNMENT	1967-68	1968-69
The General Assembly	$	$ 1,515,900
Judicial Department	4,980,500	11,162,456
Judicial Council	1,165	1,165
Counsel for Indigent Defendants	697,830	766,730
The Governor's Office	292,467	300,205
The Lieutenant Governor	12,163	12,451
Department of Administration	3,567,561	3,719,438
Department of Personnel	495,282	504,713
Secretary of State	165,739	169,723
State Auditor	491,423	549,996
State Treasurer:		
1. State Treasurer	209,138	221,332
2. Local Government Commission	115,356	116,303
Department of Justice:		
1. Attorney General	236,287	239,838
2. State Bureau of Investigation	622,303	623,560
3. General Statutes Commission	14,787	14,851
Department of Revenue	6,896,470	7,128,263
Department of Tax Research	106,895	116,649
North Carolina Tax Review Board	6,480	6,524
State Board of Elections	40,612	47,251
North Carolina C ourts Commission	40,000	40,000
North Carolina Capital Planning Commission	35,000	35,000
Contingency and Emergency:		
1. (Allotments are made from this appropriation subject to GS 143-12 or other applicable statutes.)	1,750,000	1,750,000
Salary Adjustments of State Employees		
Subject to Personnel Act	$ 627,409	$ 627,409
Subtotal-General Government	$ 21,404,867	$ 29,669,757

II. PUBLIC SAFETY AND REGULATION		
The Adjutant General:		
1. Adjutant General's Office	$ 580,693	$ 586,373
2. Armory Commission	51,000	41,600
State Civil Air Patrol	18,136	18,352
State Civil Defense Agency	159,562	160,778
Department of Motor Vehicles:		
1. Automobile Drivers' Financial Responsibility Program	568,608	603,460
Utilities Commission	441,588	442,420
Insurance Department:		
1. Insurance Department	725,930	747,465
2. State Property Fire Insurance Fund	250,000	250,000
3. Firemen's Relief Fund	1,750	1,750

	1967-68	1967-68
4. Building Code Council	$ 3,808	$ 3,808
Department of Labor	775,526	795,833
Industrial Commission	413,070	417,368
State Board of Alcoholic Control	696,075	703,846
Department of Agriculture:		
1. Gasoline and Oil Inspection Service	$ 140,957	$ 137,199
Subtotal-Public Safety and Regulation	$ 4,826,703	$ 4,910,252
III. CORRECTION		
North Carolina Board of Juvenile Correction:		
1. General Administration	$ 104,432	$ 108,353
2. Stonewall Jackson Training School	647,803	675,387
3. State Home and Industrial School for Girls--Samarcand Manor	607,361	645,246
4. Morrison Training School	731,918	751,167
5. Eastern Carolina Training School	449,952	468,816
6. State Training School for Girls - Dobbs Farm	439,175	460,711
7. Leonard Training School	515,268	544,074
8. Juvenile Evaluation Center	889,158	922,217
9. New Training School	444,866	462,892
Fugitives from Justice	6,500	6,500
Prison Department	13,939,424	14,486,771
Probation Commission	2,035,068	2,022,525
Board of Paroles	816,298	833,620
Subtotal-Correction	$ 21,627,223	$22,388,279
IV. PUBLIC WELFARE		
Department of Public Welfare:		
1. Department of Public Welfare	$ 17,975,468	$19,138,170
2. Child Welfare and Day Care Services	1,060,541	1,099,740
State Commission for the Blind	1,930,891	1,961,830
Veterans Commission:		
1. Veterans Commission	494,308	502,837
2. County Service Officers	94,000	94,000
Confederate Women's Home	68,092	68,554
Oxford Orphanage	62,250	62,250
Junior Order Children's Home	55,000	55,000
Central Orphanage of North Carolina	86,000	86,000
Odd Fellows Home	11,000	11,000
Pythian Home	11,000	11,000
Alexander Schools, Inc.	40,000	40,000
Eliada Homes, Inc.	15,000	15,000
Boys Home of North Carolina, Inc.	10,000	10,000
Sipe's Orchard Home, Inc.	12,593	12,593
Subtotal-Public Welfare	$ 21,926,143	$23,167,974
V. EDUCATION		
Department of Public Instruction:		
1. Administration and Supervision	$ 1,108,049	$1,129,153
State Board of Education:		
1. Nine Months School Fund	305,488,734	329,826,849
2. State Board of Education	766,076	769,494
3. Vocational Education	10,024,528	11,192,488
4. Purchase of Free Textbooks	9,867,240	8,613,445
5. Vocational Textile School	116,549	114,682
6. Purchase of School Buses	2,843,345	2,843,345

	1967-68	1968-69
7. Division of School Planning	$ 207,286	$ 211,117
8. Comprehensive School Improvement Project	785,716	785,716
9. Vocational Rehabilitation	1,550,389	1,563,062
10. Department of Community Colleges -Equipment	3,752,058	1,402,449
11. Instruction and Training for Trainable Mentally Handicapped children	1,073,067	1,184,304
12. National Defense Education Program	241,357	248,395
13. Department of Community Colleges	17,845,209	22,733,902
14. Program of Education by Television	123,405	124,905
15. Professional Improvement of Teachers	154,374	155,322
State Board of Higher Education:		
1. State Board of Higher Education	746,515	749,740
2. State Education Assistance Authority	5,600	5,600
University of North Carolina (Consolidated):		
1. General Administration	720,480	748,816
2. University of North Carolina at Chapel Hill		
a. University of North Carolina at Chapel Hill	16,694,504	18,306,886
b. Division of Health Affairs	5,358,867	5,850,201
3. North Carolina State University at Raleigh	13,772,570	15,002,770
4. University of North Carolina at Greensboro	5,149,210	5,838,562
5. University of North Carolina at Charlotte	2,296,015	2,603,118
East Carolina College	7,005,870	7,967,937
The Agricultural and Technical College	2,999,840	3,176,384
Western Carolina College	2,700,032	3,186,056
Appalachian State Teachers College	3,626,327	4,169,732
Pembroke State College	1,280,779	1,283,124
Winston-Salem State College	1,294,617	1,281,639
Elizabeth City State College	912,234	942,333
Fayetteville State C ollege	989,941	1,013,486
North Carolina College at Durham	2,765,015	2,860,557
Asheville-Biltmore College	968,405	1,022,596
Wilmington College	929,199	973,236
North Carolina Board of Science and Technology	340,722	341,687
North Carolina School for the Deaf	1,388,015	1,470,795
Eastern North Carolina School for the Deaf	549,510	629,405
The Governor Morehead School	1,493,035	1,571,271
Student Loan Funds:		
1. Medical Care Commission--Medical Education	300,000	300,000
2. State Board of Education--Teacher Education	747,500	800,000
Department of Archives and History	927,749	938,521
Tryon Palace-Department of Archives and History	96,743	100,032
State Library:		
1. Library	254,459	251,991
2. State Aid to Public Libraries	792,768	794,579
North Carolina Museum of Art	347,571	282,240
North Carolina State Art Society	7,000	7,000

	1967-68	1968-69
North Carolina Symphony Society, Inc.	$ 75,000	$ 75,000
North Carolina School of the Arts	667,194	749,963
Old Salem, Inc.	50,000	50,000
Highlands Biological Station, Inc.	15,150	15,150
Moore's Creek Battleground Association	500	500
Department of Administration:		
1. Reserve for Higher Education - To Replace Contributions by Auxiliary Services to Academic Expense	30,000	30,000
Subtotal--Education	$ 434,245,318	$468,289,535
VII. NON-HIGHWAY TRANSPORTATION		
State Ports Authority	$ 207,884	$ 207,884
VIII. HEALTH AND HOSPITALS		
State Board of Health	$ 6,632,867	$ 6,708,776
Medical Care Commission:		
1. Medical Care Commission - Administration	178,257	181,271
University of North Carolina:		
1. Memorial Hospital-Psychiatric Center	878,896	910,891
2. Memorial Hospital	3,535,225	3,773,486
Department of Mental Health:		
1. General Administration	3,495,196	3,655,930
2. Alcoholic Rehabilitation Program	301,271	440,639
3. Dorothea Dix Hospital	6,176,675	6,276,322
4. Broughton Hospital	5,939,949	5,969,324
5. Western Carolina Center	2,723,072	2,894,294
6. Cherry Hospital	6,360,392	6,483,739
7. O'Berry Center	3,133,861	3,191,012
8. John Umstead Hospital	5,001,461	5,138,556
9. Murdoch Center	4,590,430	4,698,688
10. Caswell Center	4,150,306	4,235,785
Advisory Council on Mental Retardation	49,815	51,135
North Carolina Orthopedic Hospital	677,933	679,207
North Carolina Cerebral Palsy Hospital	283,941	287,124
North Carolina Sanatorium System:		
1. General Administration	78,412	77,460
2. North Carolina Sanatorium	1,540,884	1,570,223
3. Western North Carolina Sanatorium	1,417,979	1,453,148
4. Eastern North Carolina Sanatorium	1,787,791	1,824,252
5. Gravely Sanatorium	769,460	758,277
Asheville Orthopedic Hospital	90,000	90,000
North Carolina Cancer Institute, Inc.	26,000	26,000
Subtotal-Health and Hospitals	$ 59,820,073	$ 61,375,539
IX. NATURAL RESOURCES AND RECREATION		
Department of Conservation and Development:		
1. Department of Conservation and Development	$ 5,348,542	$ 5,499,009
2. Kerr Reservoir Development Commission-Nutbush Conservation Area	54,321	53,160
Department of Water Resources	706,871	714,840
North Carolina National Park, Parkway		

	1967-68	1968-69
and Forests Development Commission	$ 9,916	$ 9,916
Industrial Extension Service - North Carolina State University at Raleigh	235,951	287,011
Rural Electrification Authority	79,023	80,373
North Carolina Recreation Commission	136,677	136,791
Confederate Museum-Richmond, Virginia	200	200
Confederate Cemetery-Raleigh, North Carolina	350	350
Garden Clubs of North Carolina, Inc. - The Elizabethan Garden	5,500	5,500
Subtotal - Natural Resources and Recreation	$ 6,577,351	$ 6,787,150
X. AGRICULTURE		
Department of Agriculture	$ 3,894,564	$ 4,007,986
Agricultural Experiment Station - North Carolina State University at Raleigh	3,852,559	3,994,184
Cooperative Agricultural Extension Service - North Carolina State University at Raleigh	3,962,491	3,978,271
State Soil and Water Conservation Committee	171,706	172,951
Subtotal- Agriculture	$ 11,881,320	$ 12,153,392
XII. RETIREMENT AND PENSIONS		
Teacher's and State Employees' Retirement System:		
1. Administration	$ 377,952	$ 390,014
2. State Contributions	57,901,143	63,881,322
3. Teachers and State Employees Who Had Attained Age 65 at August 1, 1959.	197,000	189,000
Law Enforcement Officers' Benefit and Retirement Fund-Contributions from General Fund	68,188	69,125
North Carolina Firemen's Pension Fund	517,205	516,779
Pensions-Confederate Widows	30,192	21,192
Pensions-Widows of Governors	12,000	12,000
Subtotal-Retirement and Pensions	$ 59,103,680	$ 65,079,432
XIII. DEBT SERVICE		
Interest on Bonds	$ 6,819,847	$ 6,512,998
Redemption of Bonds	11,215,000	11,480,000
Landscrip Fund	7,500	7,500
Subtotal - Debt Service	$ 18,042,347	$ 18,000,498
XIV. SALARY INCREASES		
State Employees Subject to Personnel Act	$ 5,589,830	$ 5,650,960
TOTAL - GENERAL FUND	$ 665,252,739	$ 717,680,652

HIGHWAY FUND

II. PUBLIC SAFETY AND REGULATION		
Department of Motor Vehicles	$ 18,380,417	$ 19,158,356

	1967-68	1968-69
Transportation Inspection (Utilities Commission)	$ 202,247	$ 201,469
Gasoline Inspection Service (Department of Agriculture)	367,168	365,108
Subtotal-Public Safety and Regulation	$ 18,949,832	$ 19,724,933
V. EDUCATION		
Driver Training and Safety Education	$ 2,044,389	$ 2,201,987
VI. HIGHWAYS		
State Highway Commission:		
1. Merit Salary Increments	$ 1,909,630	$ 3,218,067
2. Reserve for Contingencies	500,000	500,000
3. General Administration	2,981,030	2,999,251
4. Engineering Administration and Supervision	6,714,716	6,647,058
5. State Maintenance and Construction:		
a. Primary System	33,000,000	36,000,000
b. Secondary System	49,800,000	52,100,000
c. Urban System	6,700,000	7,300,000
d. Public Service Roads	1,300,000	1,330,000
6. State Funds to Match Federal Aid Highway Planning Survey and Highway Planning Research	521,666	521,666
7. State Funds to Match Federal Aid Construction	35,300,000	37,500,000
8. State Aid to Municipalities	9,937,500	10,265,000
Subtotal-Highways	$ 148,664,542	$158,381,042
XII. RETIREMENT AND PENSIONS		
Teachers' and State Employees' Retirement System:		
Contribution from State Highway Commission -- salary increases	$ 355,495	$ 362,656
Contribution from State Highway Commission	6,810,557	7,100,168
Subtotal-Retirement and Pensions	$ 7,166,052	$ 7,462,824
XIII. DEBT SERVICE		
Interest on and Redemption of Highway Bonds	$ 32,178,187	$ 32,468,250
XIV. SALARY INCREASES		
Salary Increases for Highway Fund Employees	$ 3,464,875	$ 3,483,730
TOTAL - HIGHWAY FUND	$ 212,467,877	$223,722,766
GRAND TOTAL ALL FUNDS	$ 877,720,616	$941,403,418

Special provisions with respect to Highway Fund: authorizes transfers and changes from merit salary increments, salary increases, and contributions to retirement system--salary increases, to other operating appropriations with approval of Director of Budget; authorizes transfers and changes from reserve for contingencies to other operating appropriations with approval of Governor and Council of State; authorizes transfers and changes to and/or from Title VI (as set out above)

Items 3,4,5(a),(b),(c),(d), 6 and 7 with approval of Director except that items 5(a), (b),(c),(d), 6 or 7 cannot be reduced by more than 10%. In case revenues accruing to fund (exclusive of one cent gasoline tax for debt service) exceed the estimated revenues for each year of biennium ($181,515,000 for 1967-68 and $189,678,0 for 1968-69) the excesses may be allocated in next succeeding year by Director to increase the appropriations under Titles II and VI (Items 3,4,5(a),(b),(c),(d), 6 and 7). Increase in fund surplus from sources other than revenues may be allocated in next succeeding year by Director to increase the appropriations under Title II and VI (items 3,4,5(a),(b),(c), (d), 6 and 7).

Appropriates from funds available in the various special funds sufficient amounts to carry on required activities, subject to provisions of the Executive Budget Act.

General Provisions: Provides that all insurance and all official, fidelity and surety bonds authorized for State departments, institutions and agencies shall be placed by Insurance Dept., costs to be paid by respective departments, etc.

Special Provisions: Provides that General Fund appropriations for Prison Dept. includes funds to be transferred to Dix and Cherry Hospitals and NC Sanatorium for care, custody, and treatment of criminally insane and tubercular prisoners, amounts to be determined by specified formula. Specifies details concerning use of appropriations to schools for blind and deaf. Provides for disbursing of medical care and treatment appropriations on fee schedules and rates approved by Advisory Budget Comm'n. Prohibits diversion of funds appropriated to State Board of Education for additional teachers and/or for specified purposes. Director of Budget to require that Highway Fund, other special funds employing personnel and self-supporting operations budget as a line item sufficient funds to pay employer portion of retirement system contributions. No part of General Fund appropriation made in act as contribution to State retirement fund to be used as retirement or Social Security contributions for any State employee (1) who is paid from receipts of any State institution or agency (other than gifts or grants) deposited in any institutional funds for specific purpose of paying such employee; or (2) who performs duties for self-supporting operation or activity (as determined by Director of Budget) or (3) who performs duties for operation or activity not directly supported by General Fund appropriations. If salary is paid in part from General Fund, appropriations from General Fund to be used to pay employer's contribution to State retirement fund and social security in proportion to part of salary paid from General Fund. Intent of provision is to require employer's contributions to State retirement fund and Social Security for employees of institutions etc. described above to be paid from salary source. Authorizes departments, institutions and agencies to expend from appropriations made in Act funds to pay moving expenses of employees whose transfer is directed by employing agency, subject to regulations of Department of Administration, approved by Director of Budget. Authorizes allotment for each year of coming biennium of not to exceed $100,000, subject to recommendation of Advisory Budget Comm'n, for witchweed control program and not to exceed $50,000 for hog cholera indemnities.

Salaries and Wages: Authorizes Director of Budget to transfer to departments, agencies and institutions from appropriations for salary increases for State employees subject to Personnel Act sums needed to increase salaries in effect June 30, 1967 under established salary schedule, by a 5% legislative salary increase to each permanent full-time employee, which may be rounded to next highest even dollar. Increases to apply to salaries paid from special funds and non-tax sources, and budget allocations may be made out of special funds, if funds are made available by sponsoring agents. General Fund appropriation to pay its proportionate share of increases for positions supported partially by General Fund. Increases for employees paid from self-supporting activities to be contingent on availability of funds out of their receipts, as determined by Director of Budget. Increases not to affect automatic and/or merit increments, and not to apply to persons separated from State service whose last working day is prior to July 1, 1967. Maximum salary ranges of employees under Personnel Act to be increased by an amount equal to legislative salary increase.

Re-enacts and incorporates by reference Executive Budget Act (GS Ch. 143, Art. 2). Effective July 1, 1967.] To Appropriations.

HB 35 - Introduced by Short

"To amend the Motor Vehicle Law (G.S. 20-16(c) to remove violations of the safety equipment inspection requirements from the operator's license point system." [Amends cited section by removing from consideration as a basis for license suspension or revocation any points already assessed by the Dept. of Motor Vehicles for violation of vehicles inspection law, and by specifying that no points are to be assessed for such violations.] To Highway Safety.

HB 37 - Introduced by Clark of New Hanover

"To provide for judicial review of revocation of motor vehicle registration and suspension of operators' licenses under G.S. 20-309(c), G.S. 20-309(e) and G.S. 20-311." [Adds new GS 20-319.1 providing for judicial review of order or act of Department of Motor Vehicles revoking motor vehicle registration and suspending operators' license pursuant to cited sections (providing for revocation and suspension of license for lack of financial responsibility or liability insurance). Review to be had in Superior Court of county in which petitioner resides; petition for appeal must be filed within five days of receipt of notice of revocation and suspension. Copy of petition to be served upon Comm'r of MV; Comm'r to have 30 days to file answer. Appeal to be heard by Judge holding court in county or by resident judge, who shall sit without jury and receive evidence he deems relevant and proper including evidence of hardships imposed by revocation and suspension and current status of petitioner's financial responsibility. Judge may enter order revoking or modifying order of Dept. of MV; either party may appeal from order to Supreme Court in same manner as other appeals from Superior Court. Commencement of appeal to Superior Court shall stay order of Dept. of MV and appeal to Supreme Court shall further stay order. Act not to be construed to permit any person to operate vehicle without financial responsibility.] To Highway Safety.

HB 41 - Introduced by Britt of Johnston

"To correct certain errors in the General Statutes." [Makes numerous technical amendments throughout General Statutes, e.g. corrects errors of spelling, and adds words or phrases omitted through inadvertence. Various sections in the following chapters of the General Statutes are amended: 7A, 10, 14,20,23,25,28, 32, 47, 106, 113, 122, 126, 128, 130, 143, 160. Effective Oct. 1, 1967.] To Jud.2.

HB 42 - Introduced by Britt of Johnston

"To amend G.S. 164-14 with regard to terms of members of the General Statutes Commission." [Amends GS 164-14 by adding subsection providing that notwithstanding expiration of member's term, such member shall continue to serve on Comm'n until appointment of successor has been made and reported to Secretary of Comm'n.] To Judiciary 2.

HB 43 - Introduced by Britt of Johnston

"To amend article 29A of Chapter 1 of the General Statutes relating to judicial sales, Article 29B of Chapter 1 of the General Statutes relating to execution sales, and Article 2A of Chapter 45 of the General Statutes relating to sales under a power of sale." [Makes uniform a number of changes that have been made in various sections of Article 29A, Chapter 1, relating to judicial sales, Article 29B, Chapter 1, relating to execution sales, and Article 2A, Chapter 45, relating to sales under a power of sale. Changes are: (1) terminates right to file further bids after a resale when no additional bids have been made at resale and upset bidder has thus become high bidder; (2) limits amount of cash deposit required at sales under power of sale to 10% of amount of bid up to and including $1,000, plus 5% of any excess over $1,000; (3) increases from seven to ten days lapse in time from date of last publication to date of public sale when notice of sale is published in newspaper; (4) permits upset bids on real property to be made by certified check or cashier's check satisfactory to clerk to whom made (as well as by cash); (5) changes provision for notice when no newspaper qualified for legal advertising is published in county from posting notice at three public places in

county for 30 days immediately preceding sale to notice by publication in newspaper having general circulation in county once a week for at least four successive weeks; (6) extends time for which deposit on upset bid must be made to clerk to following day in which office of clerk is open for regular dispatch of business when tenth day falls upon Sunday or holiday, or upon day in which office of clerk is not open for regular dispatch of business (now, deposit must be within ten days after filing report of sale); (7) provides that clerk may issue orders for possession of real property sold when done in accordance with specified statutory conditions; (8) provides that confirmation of resale of real property pursuant to upset bid is limited to confirmation by clerk; (9) fixes rights of parties in case of original sale under power of sale where no upset bid has been filed at expiration of 10-days following filing of sale report; and (10) corrects minor errors in wording. Changes herein provided for do not amend Uniform Commercial Code. Effective October 1, 1967.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- HOUSE

HB 36 - (New Hanover) Introduced by Clark

"Prohibiting the use of certain steel traps on the lands of others in New Hanover County." [Extends application of Sec. 3, Ch. 819 of 1963 SL as amended by Ch. 1255 of 1963 SL (misdemeanor to use steel traps of size and spring tension greater than No. 2 traps on lands of others in Brunswick and Pender Counties) to New Hanover County.] To Wildlife Resources.

HB 38 - (Catawba) Introduced by Poovey and Mullinax

"To revise the corporate limits of the Town of Conover in Catawba County." [Identical with SB 17, digested in Senate section of today's bulletin.] To Local Government.

HB 39 - (Gaston) Introduced by Stewart

"Relating to the use of school buses in Gaston County." [Authorizes County Board of Education to permit use of school buses for transportation of pupils and teachers to attend Schiele Museum of Natural History, Gastonia, NC, in furtherance of studies. County board liable for operating costs of buses, as determined by State Board of Education. Buses to be driven by persons holding valid school bus driver's certificate or chauffeur's license. Tort claims arising out of use of buses for purpose herein authorized may be brought against county board in accordance with GS 143-300.1 (procedure for bringing claims before NC Industrial Commission) Board required to carry insurance sufficient to protect against any claims which might be brought under terms of said section, and additional insurance sufficient to protect pupils, teachers and drivers against injury and loss of life arising out of, or connected with such use of buses. Act not to be construed to give rise to any cause of action for death or injury against county board or any of its members, in excess of insurance coverage. State Board and other State departments, institutions and agencies not liable for tort claims arising out of bus use herein authorized.] To Education.

HB 40 - (Harnett) Introduced by Staton and Love

"To incorporate the town of Erwin in Harnett County subject to an election." [Provides for special election on April 4, 1967 on the question of incorporating town within boundaries specified and an election on May 2, 1967 of town officers to be held if a majority of the voters favor incorporation in the first election. County board of elections to conduct elections in accordance with law applicable to county elections except as specially provided. Elections to be open to qualified voters residing in proposed boundaries who register at a special registration held from March 17, 1967 through March 24, 1967 from 9:00 a.m. until 5:00 p.m. each day excluding Sunday. Board to designate polling place and election officials by March 1 and post notice of the election and registration and time for challenges (March 25) and filing candidacy (April 5, through April 14,) in the Erwin Post Office and elsewhere as it may choose. Form of ballot specified for both

elections; polls to be open from 6:30 a.m. until 6:30 p.m.. Additional registration time provided for officer election (April 14 through April 21 from 9:00 a.m. until 5:00 p.m.) for qualified voters who did not register in first registration period. Challenge day for officer election to be April 22, and notice of election to be posted by April 7. In officer election each qualified registered voter to be entitled to vote for one candidate for mayor, of whom one receiving highest votesis elected for four years, and for five candidates for comm'r, of whom three receiving highest votes are elected for four years and two receiving next highest votes for two years. Board to determine ties by lot.

Act provides for Erwin charter, to become effective May 2, 1967 in the event of a favorable vote on incorporation, as follows: (1) Incorporates town with general corporate powers and describes boundaries in metes and bounds with the provision for map, to be filed with Sec. of State and register of deeds. (2) Provides for mayor and five comm'rs to be elected at large for 4-year staggered terms (comm'rs) and 4-year term (mayor) at regular municipal elections, following the initial election provided, held on Tues. after first Mon. in May of odd-numbered years and conducted in accord with GS 160, Art. 3. Nomination by filing of candidacy procedures and on payment of a filing fee ($5.00). Voters to cast votes for as many candidates as there are offices to be filled or ballots shall be void. (3) Mayor to receive salary fixed by comm'rs (minimum $300 per annum), take a prescribed oath before entering into office, and preside at all meetings of board of comm'rs but vote only in the event of a tie. (4) Comm'rs to organize and conduct business in prescribed manner, receive a salary fixed by themselves (minimum $120 per annum), take a prescribed oath before entering into office,and are empowered to appoint town attorney, town clerk, town tax collector, town accountant, and to consolidate these offices or functions and to appoint such other positions as they may choose, including a supervisor of all town departments who may be delegated the power of appointment and removal of department heads and employees, other than town attorney. (5) Provides town financial and fiscal procedures, including annual independent audit. (6) Persons and property within corporate limits to be subject to municipal taxes levied for fiscal year 1967-68 and thereafter, and county to provide town upon request with a record of property within corporate limits listed for taxation as of Jan. 1, 1967. (7) Prescribes procedures for presentation of tort claims against town (presentation within 90 days after accrual, and no action to be brought within 30 days or after 12 months from presentation).] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

None

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

None

The following unnumbered House Resolution was introduced and adopted:

Introduced by Johnson of Duplin

"Requesting the Honorable Thad Eure, Secretary of State, to conduct a legislative school of instruction and parliamentary procedure for such members of the House of Representative and others as may wish it." [As title indicates.] Passed three readings.

The Speaker appointed the following Representatives to committees as indicated:

Committee on Education: McMillan of Robeson, chairman; Barbee, vice-chairman; Chase, vice-chairman; Kiser, vice-chairman; Tart, vice-chairman; Auman, Beatty, Blake, Bowles, Collier, Everett, Greenwood, Haynes, Hunter of Mecklenburg, Isaac, Jernigan, Johnson of Duplin, Kincaid, Messer, Mullinax, O'Hanlon, Penny, Ramsey of Madison, Roberson, Staton, Tolbert, Whitley of Guilford, Woodard.

Committee on Highway Safety: Gregory, chairman; Britt of Johnston, vice-chairman; Euliss, vice-chairman; McMillan of Wake, vice-chairman; Speed, vice-chairman; Bumgardner, Craig, Eagles, Everett, Fenner, Gunn, Hamrick, Harrill, Hutchins, Jernigan, Jordan, Poovey, Ramsey of Person, Short, Strickland, Tolbert, Whicker, Vogler.

Committee on Institutions for the Deaf: Raynor, chairman; Paschall, vice-chairman; Tate, vice-chairman; Bowles, Bunn, Collins, Ervin, Harrill, Hege, Isaac, Love, Mauney Poovey, Rountree, Short, Whitley of Stanly.

Committee on Insurance: Ramsey of Person, chairman; Burden, vice-chairman; Horton, vice-chairman; Hunter of Richmond, vice-chairman; Bailey, Clark of New Hanover, Clark of Union, Collins, Garren, Greenwood, Harkins, Harrill, High, Isaac, Kincaid, McMichael, Mitchell, Mullinax, Pickard, Ragsdale, Royall, Short, Sugg, Taylor of Carteret, Vaughn, Whitley of Guilford.

Committee on Public Utilities: Bunn, chairman; Mills of Anson, vice-chairman; Ramsey of Person, vice-chairman; Vaughn, vice-chairman; Bailey, Church, Clark of New Hanover, Clark of Union, Eagles, Falls, High, Jones, Jordan, Love, Pickard, Royall.

Committee on Water Resources and Control: Ragsdale, chairman; Gunn, vice-chairman; Jernigan, vice-chairman; Blake, Bryan, Burrus, Carson, Clark of Bladen, Culpepper, Exum, Godwin of Craven, Haynes, Ingle, Kincaid, Merritt, Mills of Onslow, Roberson, Taylor of Carteret, Williamson.

Committee on Wildlife Resources: Burden, chairman; Barr, vice-chairman; Johnson of Duplin, vice-chairman; Boger, Carson, Everett, Forbes, Garner, Hunter of Mecklenburg, Hunter of Richmond, Jordan, Love, McGlamery, McMillan of Wake, Merritt, Messer, Mohn, Poovey, Ramsey of Madison, Raynor, Short, Sugg, Taylor of Carteret, Taylor of Transylvania, Troxell, Woodard.

Next session of the House: 12 noon, Wednesday, February 15, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 6

Wednesday, February 15, 1967

Session: Senate -- 12:00 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 21 - Introduced by Evans

"Ratifying a proposed amendment to the Constitution of the United States of America, relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office." [Proposes amendment to US Constitution to be ratified by General Assembly (valid when ratified by legislatures of three-fourths of the States within seven years from date of submission by Congress) to provide that: (1) Vice President becomes President if President is removed from office, dies or resigns. (2) Vacancy in office of Vice President shall be filled by nominee of President upon confirmation by majority of both Houses of Congress. (3) Powers and duties of Presidency shall be discharged by Vice President whenever President transmits to President pro tempore of Senate and Speaker of House written declaration he is unable to discharge such duties and until he transmits written declaration to contrary. (4) Vice President assumes powers and duties of office as Acting President whenever he and majority of either principal officers of executive departments or such other body as Congress may provide, transmits to President pro tempore of Senate and Speaker of House written declaration that President is unable to discharge duties of his office; but if President thereafter transmits to President pro tempore of Senate and Speaker of House his written declaration that no inability exists, he shall resume powers of his office unless Vice President and majority of either principal officers of executive department or such other body as Congress provides, shall transmit within four days to Senate and House their written declaration that President is unable to discharge powers of his office, whereupon Congress shall decide issue, within 21 days after receipt of declaration or, if not in session, 21 days after Congress is required to assemble (assembling within 48 hours if not in session); if Congress by two-thirds vote of both Houses determines that President is unable to discharge his office, Vice President shall continue to discharge same as acting President; otherwise President shall resume powers and duties of his office. Provides that if amendment is ratified by General Assembly, certified copies of amendment be forwarded by Governor to US Secretary of State, to Presiding Officer of US Senate, and Speaker of House of Representatives. Identical with HB 22, digested in House section of Bulletin No. 3.] To Constitution.

SR 22 - (Joint Resolution) Introduced by Moore and others

"Inviting the General Assembly to visit the University of North Carolina at Charlotte on the occasion of the installation of Chancellor Dean Wallace Colvard and on the occasion of the second anniversary of the University of North Carolina at Charlotte." [As title indicates; installation scheduled for 11:00 a.m., March 3, 1967 in David Owens Auditorium.] To Rules.

SB 23 - Introduced by Harrington and Wood

"To authorize the State Board of Education to establish an extension unit of the North Carolina system of community colleges in Hertford County to be designated the Roanoke-Chowan Technical Institute Extension Unit." [As title indicates; Extension Unit to be operated pursuant to policies of State Board of Education and applicable provisions of GS 115 and 115A (providing for elementary and secondary education; community colleges, technical institutes, and industrial education centers). Appropriates to State Board of Education for fiscal year 1967-68, $140,850, and for fiscal year 1968-69, $80,529, to equip and operate authorized unit.] To Education.

SB 25 - Introduced by Byrd and others

"To remove restrictions on the use of airplanes by the State Highway Patrol." [Repeals GS 20-196.1 (prohibits use of airplanes by SHP to discover violations of GS Ch 20, Art. 3, Part 10 relating to operation of motor vehicles and rules of the road).] To Highway Safety.

SB 27 - Introduced by Ellis

"To exempt a guardian from requirement of bond until he receives the property of his ward." [Amends GS 33-12 by adding provision that when guardian is appointed for infant, idiot, lunatic, insane person or inebriate for purpose of bringing an action on behalf of said person and there is no other asset belonging to this person in State, guardian need not give security until property is turned over to guardian, at which time he shall give sufficient security approved by a judge or the court to account for and apply the same under court directions (now such security required from guardian at time of appointment). Inapplicable to actions filed by guardians who have obtained bonds before ratification.] To Judiciary 2.

SB 28 - Introduced by Ellis

"To exempt administrators appointed for the purpose of bringing an action for wrongful death from the requirements of furnishing a bond." [Adds to GS 28-34 and GS 28-40 provision that an administrator appointed solely to bring action for wrongful death shall be exempt from requirements of a bond until he receives property into estate of the deceased. (Now GS 28-34 prescribes a bond for executors where required by law and for all administrators and collectors before letters are issued. Now GS 28-40 prescribes a bond before issuance of letters testamentary, letters of administration with the will annexed, letters of administration, or letters of collection.) Inapplicable to appointed administrators who have obtained bonds before ratification of this act.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- SENATE

SB 24 - (Union) Introduced by Griffin

"To amend G.S. 153-10.1, relating to removal and disposal of trash, garbage, etc., so as to make said section applicable to Union County." [Adds Union to list of counties to which GS 153-10.1 applicable (statute authorizes board of comm'rs to pass ordinances and rules governing removal, disposal and dumping of garbage and trash within rural areas outside corporate limits of any municipality with violations punishable as misdemeanors.] To Local Government.

SB 26 - (Onslow) Introduced by Ellis

"To add $1.00 to the costs of court in the Jacksonville Municipal Court, to be used for the Onslow County Law Library." [Adds provision to SL 1957, Ch. 795 which makes it duty of Clerk of Jacksonville Municipal Court, after effective date of act, to collect $1.00 from defendant in each case before that Court to be used for

Onslow County Law Library, except where City of Jacksonville adjudged to pay all costs. $1.00 collected to be immediately paid to Clerk of Superior Court, Onslow County to supplement library fund. Library fund to be expended in manner provided by Sec. 6 of SL 1957, Ch. 795.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

None

LOCAL BILLS

[Note: Only amendments, committee substitutes, committee to which referred and final action are reported.]

None

The President made the following committee changes:
Wildlife: Delete name of Senator Byrd;add name of Senator Futrell.
Appropriations: Delete name of Senator White of Cleveland; add name of Senator Green.
Finance: Delete name of Senator Green; add name of Senator White of Cleveland.
Judiciary: Add name of Senator Byrd.

The President appointed the following committees as indicated:
Highway Safety: Whitehurst, Chairman; Byrd, Vice Chairman; Brumby, Vice Chairman; Alford, Allen, Austin, Buchanan, Dent, Harrington, Henkel, MacLean, McLendon, Maxwell, Osteen, Penn, White of Lenoir.
Correctional Institutions: Maxwell, Chairman; Whitehurst, Vice Chairman; Allen, Vice Chairman; Allsbrook, Bagnal, Briggs, Byrd, Currie, Futrell, Gilmore, Henkel, Matheson, Morgan, Osteen, Shuford, Simmons.
Propositions and Grievances: Henkel, Chairman; Hancock, Vice Chairman; Simmons, Vice Chairman; Bailey, Boger, Bridgers, Bryan, Buchanan, Burney, Kemp, Moore, Osteen, Penn, White of Cleveland, White of Lenoir.

Next session of Senate: 12 noon, Thursday, Feb. 16, 1967.

BULLETIN NO. 6
Wednesday, February 15, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 44 - (Joint Resolution) Introduced by Vogler and others
"Inviting the General Assembly to visit the University of North Carolina at Charlotte on the occasion of the installation of Chancellor Dean Wallace Colvard and on the occasion of the second anniversary of the University of North Carolina at Charlotte." [Identical with SR 22, digested in the Senate section of today's bulletin.] Passed three readings and sent to Senate.

HB 45 - Introduced by Bowles and others
"To amend Article 3, Part 5, of the Motor Vehicle Act of 1937 so as to provide for optional special personalized registration plate upon proper application and payment of additional fee."[Adds new GS20-81.3 authorizing the Comm'r of Motor Vehicles to adopt regulations governing the issuance of personalized registration plates to owners of private passenger motor vehicles. Plates to be of design prescribed by Comm'r and he may refuse issuance of letter combinations offensive to good taste and decency. Prohibits duplication of personalized plates. Applicants for plates to apply annually and pay $5.00 fee in addition to regular motor vehicle registration fee. Holders of personalized plates to have first priority for same plate in subsequent years provided application is timely. If personalized plate is lost, stolen or mutilated, holder may not obtain duplicate until next registration year, but upon application and payment of $1.00 he may obtain a plate of the regular series. If a personalized plate is revoked for violation of motor vehicle laws, holder may not obtain duplicate at time of reissuance, but a plate of regular series will be issued upon payment of prescribed fee. Revenue derived from additional fee to be placed in "Highway Beautification Fund" and after deduction for cost of plates and administration of program proceeds to be transferred to the State Highway Commission to be spent solely for purpose of beautification of highways other than interstate. SHC to administer funds at the direction of the Highway Beautification Board unless their recommendations are inconsistent with good landscaping and engineering principles.

Creates 11-member Highway Beautification Board with five members appointed by Governor and six members appointed by Garden Clubs of North Carolina. Members to serve four year terms commencing on July 1 of appropriate year. Governor or Garden Clubs to fill vacancies in their appointees for unexpired term. Board to annually elect, between July 1 and Sept. 1, from its membership a chairman, vice-chairman and secretary to serve 1-year terms. First Board to be appointed as follows: Governor appoints one member for 1-year term, one member for 2-year term, one member for 3-year term and two members for 4-year terms; Garden Clubs appoint one member for 1-year term, one member for 2-year term, two members for 3-year terms, and two members for 4-year terms. Original members to serve such additional months as necessary in order for term to expire on June 30.] To Rules.

HB 46 - Introduced by Greenwood
"To amend Article 7 of Chapter 120 of the General Statutes to provide subsistence allowance to certain officers of the General Assembly." [Amends GS 120-36.1 by providing that principal clerk, reading clerk, sergeant at arms, and chief enrolling clerk of each House of General Assembly be paid $20 subsistence allowance for expenses incurred in connection with duties in General Assembly (now-reimbursed on vouchers for actual expenses for room and meals not to exceed $20).] To Appropriations.

HB 47 - Introduced by Jernigan and others
"To authorize the State Board of Education to establish an extension unit of the North Carolina system of community colleges in Hertford County to be

designated the Roanoke-Chowan Technical Institute Extension Unit." [Identical with SB 23, digested in the Senate section of today's bulletin.] To Education.

HB 50 - Introduced by Ervin and others

"To remove restrictions on the use of airplanes by the State Highway Patrol." [Identical with SB 25, digested in the Senate section of today's bulletin.] To Highway Safety.

HB 51 - Introduced by Hamrick

"To make the wilful damaging of occupied property by the use of high explosives a felony." [Amends GS Ch. 14 (Criminal Law) by adding new section (GS 14-49.1) which makes any person who wilfully and maliciously damages or attempts to damage any dwelling, building, vehicle, real or personal property of any kind, occupied by one or more other persons, by nitroglycerine, dynamite, gunpower or other high explosive, guilty of a felony; upon conviction to be punished by imprisonment in State prison for not less than ten years nor more than life.] To Judiciary 1.

HB 52 - Introduced by Hamrick

"To amend G.S. 15-53 to increase the amount of the reward which may be offered thereunder, and to add a new section providing for a reward for information leading to arrest and conviction." [Amends GS 15-53 to increase to $10,000 (now $400) amount of reward Governor may pay for apprehension and delivery of any person who has committed or been convicted of a felony or other infamous crime within State and has escaped or is concealed and cannot otherwise be apprehended.

Adds new section (GS 15-53.1) to authorize Governor to offer and pay up to $10,000 reward to person who shall provide information leading to arrest and conviction of persons (as described above) when it appears to him that a felony or other infamous crime has been committed within State. Offer to be made by gubernatorial proclamation which shall be made upon such terms as Governor deems appropriate, such proclamation to identify felony or felonies and authority to whom information to be delivered.] To Judiciary 1.

HB 53 - Introduced by Hamrick

"To make felonies of the crimes of placing a burning or flaming cross on the property of another, G.S. 14-12.12; placing and exhibit with the intention of intimidating, etc., another, G.S. 14-12.12; and placing an exhibit while wearing a mask, hood or other disguise, G.S. 14-12.13; and to increase the punishment therefor." [Amends GS 14-12.15 to make felonies (now: misdemeanors) of the offenses listed in the title. Provides for punishment by confinement in the State prison for not less than one nor more than five years.] To Judiciary 1.

HB 55 - Introduced by Jernigan and Burden

"Establishing the Historic Murfreesboro Commission." [Creates Historic Murfreesboro Commission for purpose of planning and carrying out program preserving historic sites and buildings in or near town, in cooperation with local, state, and federal agencies or private groups. Authorizes Comm'n to acquire title to historic properties and to repair, restore, and maintain such properties until its work is terminated. Comm'n to consist of following ex officio members (or their designees): mayor of Murfreesboro, President of Chowan College, Chairman of Board of Commissioners of Hertford County, and the Director of State Department of Archives and History. Comm'n also to include 30 members appointed by Governor for 5-year terms. Authorizes Governor to fill vacancies in terms of appointed members. Initial appointees of Governor to serve as follows: six for 1-year terms, six for 2-year terms, six for 3-year terms, six for 4-year terms and six for 5-year terms.] To Conservation and Development.

LOCAL BILLS INTRODUCED -- HOUSE

HB 48 - (Pasquotank) Introduced by Culpepper and Godwin

"To provide for the reorganization and consolidation of the Elizabeth City Board of Education and the Pasquotank County Board of Education and to create and establish one administrative board for all of the public schools in Pasquotank County." [Provides machinery for establishing and operating a consolidated Elizabeth City-Pasquotank County Board of Education, as follows: (1) Directs county board of elections within ten days after ratification of act to call a special election on the question of creating such consolidated board and providing for a supplemental school tax throughout the county of not over 16¢ per $100 valuation. Sets forth form of ballet; provides for conduct of election by county board of elections under procedures governing such elections, as set forth in GS 115-116(g) and Art. 14 of GS Ch. 115; provides that if majority of votes favor consolidation and supplemental tax, consolidation provisions as set out below become effective. (2) Provides for 7-member consolidated city-county board of education (assuming referendum vote is favorable), three to be residents of Elizabeth City Township and Elizabeth City; three to be elected from Providence, Salem, Newland and Mount Herman Townships and other remaining township areas of county (but no two residing in one township); and one elected from county at large; members to serve staggered 6-year terms. Provides for first election to be held in conjunction with 1968 primary and election of State and county officers; subsequent elections biennially thereafter; filing of notice of candidacy by noon on 6th Saturday preceding primary; and conduct of elections by county board of elections under general election laws (GS Ch. 163). Three candidates residing in Elizabeth City-Elizabeth City Township receiving highest votes, in descending order, to serve six, four and two year terms, respectively; three candidates residing in remaining township areas, likewise; and candidate running at large receiving highest votes to serve 6-year term. (3) Provides for organization, procedures, vacancies and compensation of board; for appointment of treasurer who shall give at least $25,000 bond and to whom all school funds shall be paid over (other than bond proceeds); for designation of superintendent of schools as ex officio secretary of board and for election of assistant secretary by board. Provides for filing of supplemental school budget by consolidated board with board of county commissioners in 1967 and subsequently, and for resolving of disagreements over supplemental tax levy between consolidated board and county comm'rs under GS 115-87 and 115-88. Spells out procedures concerning contracts and title to property. Provides for transfer of all claims, demands, obligations and liabilities of existing city and county boards to consolidated board as of July 1, 1967; for payment of unexpended school supplement taxes by auditor to consolidated treasurer as of said date; and for continued payment to consolidated unit of any ABC funds now being paid to city or county board of education. (4) Authorizes consolidated board to appoint school committees for some or all districts within the county in accordance with general public school law; board to exercise functions of committees in any district where no committee appointed. (5) Provides for members of Elizabeth City and Pasquotank County boards of Education to serve as interim consolidated board of education beginning July 1, 1967, if referendum on consolidation is favorable, and spells out provisions for organization and functioning of interim board, exercising all powers and duties of city and county boards of education until permanent board takes office (first Monday in December, 1968).] To Education.

HB 49 - (Chowan) Introduced by Godwin and Culpepper

"To provide for the reorganization and consolidation of the Edenton Board of Education and the Chowan County Board of Education and to create and establish one administrative board for all of the public schools in Chowan County." [Provides machinery for establishing and operating a consolidated Edenton-Chowan County Board of Education under provisions corresponding to those of HB 48 (digested above, providing for an Elizabeth City-Pasquotank consolidated board), except as follows: (1) Referendum on creation of district to be combined with vote on 15¢-per-$100

school supplement tax and to be held either at general election for State and county officers in 1968 or at a special election directed by board of county commissioners at such date as board may designate. (2) Consolidated unit to go into operation (if approved at referendum) on Jan. 1, 1971. (3) Consolidated unit to be governed by 7-member board, serving 6-year staggered terms, with four members residing in 1st Township, and one member each residing in 2nd, 3rd and 4th Townships. Of the initial board members, two receiving highest votes in 1st Township to serve six years, next highest four years, and next highest two years; member elected from 2nd Township to serve six years, from 3rd Township to serve four years, and from 4th Township to serve two years. First permanent consolidated board to be elected at 1970 general election for State and county officers. (4) Interim board to consist of members of Edenton City Board of Education and Chowan County Board of Education, and to become operative on first Monday of month following certification of results of favorable referendum.] To Education.

HB 54 - (Moore) Introduced by Auman
"To postpone the election of the members of the Moore County Board of Education until the first Tuesday in April, 1968." [Amends Ch. 1051, Sec. 3(c), of 1965 Session Laws to postpone election of members of Moore County Board of Education until 1968; present members of Board to continue in office until results of said election are known.] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HR 27 - (Joint Resolution) Beaufort invitation. Reported favorably.
HR 15 - (Joint Resolution) Seaboard invitation. Reported favorably; passed second and third readings.

LOCAL BILLS

None

The Speaker appointed the following Representatives to committees as indicated:

Penal Institutions: McFadyen, chairman; Messer, Speed, Williamson, vice-chairmen; Auman, Blake, Bunn, Elliott, Fenner, Harrill, Haynes, Jordan, Kiser, McKnight, McMichael.

Agriculture: Speed, chairman; Auman, Falls, Forbes, McFadyen, vice-chairmen; Barbee, Billings, Boger, Bowles, Burden, Burrus, Chase, Collier, Collins, Culpepper, Eagles, Everett, Fenner, Garner, Gunn, Horton, Jernigan, Mitchell, Mohn, Roberson, Staton, Tart, Taylor of Transylvania, Tolbert, Whitley of Stanley, Woodard.

Printing: Barr, chairman; Greenwood, Jernigan, vice-chairmen; Barbee, Bowles, Calvert, Clark of Bladen, Eagles, Jordan, Kiser, McKnight.

Public Welfare: Kiser, chairman; McMichael, Mills of Anson, Stanford, Tart, vice-chairmen; Billings, Burden, Collier, Craig, Elliott, Forbes, Gunn, Harrill, Hill, Jones, Jordan, McGlamery, Mills of Onslow, Mitchell, Mohn, Phillips, Speed, Taylor of Transylvania, Tolbert.

State Government: Vogler, chairman; Bunn, Johnson of Duplin, Quinn, vice-chairmen; Billings, Calvert, Edwards, Euliss, Godwin of Gates, Greenwood, Harkins, Ingle, Mauney, McMichael, Mohn, Ramsey of Person, Rountree.

Salaries and Fees: Gunn, chairman; Auman, Kiser, vice-chairmen; Beatty,Blake, Britt of Johnston, Everett, Falls, Fenner, Gregory, Hutchins, Messer, Roberson, Tolbert, Whicker, Woodard.

State Personnel: Quinn, chairman; Chase, Godwin of Craven, High, vice-chairmen; Blake, Bumgardner, Calvert, Elliott, Gregory, Hill, Jemison, Johnson of Wake, Jones, McMillan of Robeson, Mohn, Phillips, Staton.

Next session of House: 12 noon, Thursday, February 16, 1967.

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BULLETIN NO. 7

Thursday, February 16, 1967

Session: Senate -- 12:00 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 29 - Introduced by Whitehurst
"To authorize the Department of Motor Vehicles to reflectorize vehicle license plates for 1968 and future years." [As title indicates] To Highway Safety.

SB 30 - Introduced by Osteen and Nielson
"To provide for the nomination and election of regular superior court judges by the qualified voters of the judicial district in which they reside." [Rewrites GS 7-41 to provide that the regular judges of superior courts shall be nominated and elected by qualified voters of judicial district in which they reside in accordance with primary and general elections laws provided in GS 163 and shall hold office for eight years.] To Judiciary 2.

SB 31 - Introduced by Burney
"To amend GS 9-23, relating to the number of challenges permitted in civil actions where there are two or more defendants." [Increases to six (now four) the number of challenges presiding judge in civil action may allow each defendant or class of defendants representing same interest.] To Courts and Judicial Districts.

SR 32 - (Joint Resolution) Introduced by Griffin
"Honoring the life and memory of Oscar Leonard Richardson, former member of the General Assembly." [As title indicates.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SR 11 - (Joint Resolution) Seaboard invitation. Reported favorably; passed second and third readings.
SR 15 - (Joint Resolution) Beaufort invitation. Reported favorably; passed second and third readings.
SR 22 - (Joint Resolution) Charlotte invitation. Reported favorably; passed second and third readings.

SR 32 - (Joint Resolution) Memorializing Richardson. Passed three readings.

HR 56 - (Joint Resolution) Memorializing Hawfield. Passed three readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committee to which referred and final action are reported.]

None

The President added Senator McLendon to Committee on Propositions and Grievances.

The President appointed the following committees as indicated:

State Government: Wood, Chairman; Coggins, Vice Chairman; Evans Vice Chairman; Boger, Brumby, Currie, Futrell, Henley, MacLean, McLendon, Morgan, Osteen, Parrish, Rauch, Warren, Whitehurst.

Public Health: Henley, Chairman; Henkel, Vice Chairman; Burney, Vice Chairman; Allen, Bryan, Ellis, Evans, Green, Matheson, Nielson, Norton, Scott, Simmons.

Salaries and Fees: Hancock, Chairman; Gentry, Vice Chairman; White of Cleveland, Vice Chairman; Bagnal, Bailey, Bridgers, Briggs, Buchanan, Harrington, Kemp, McGeachey, Moore, Penn, Scott, Wood.

Interstate and Federal Relations: Currie, Chairman; Gilmore, Vice Chairman; Futrell, Vice Chairman; Allsbrook, Austin, Bridgers, Briggs, Brumby, Henley, McLendon, Nielson, Parrish, Rauch, Shuford, Wood.

Next session of Senate: 10:00 a.m., Friday, Feb. 17, 1967.

BULLETIN NO. 7
Thursday, February 16, 1967

Session: House -- 12:00 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 56 - (Joint Resolution) Introduced by Clark of Union
"Honoring the life and memory of Samuel Glenn Hawfield, former member of the General Assembly." [As title indicates.] Passed three readings and sent to Senate.

HB 58 - Introduced by Gregory
"To authorize the Department of Motor Vehicles to reflectorize vehicle license plates for 1968 and future years." [Identical with SB 29, digested in the Senate section of today's bulletin.] To Highway Safety.

HB 59 - Introduced by McKnight
"To amend Chapter 110 of the General Statutes to provide that minors, eighteen years of age and older, may be tried in the Superior Court for felonies." [Amends GS 110-29 (6) by raising from 14 to 18 the age at which cases of juveniles charged with felonies (for which punishment cannot be more than 10 years) may be bound over to the superior court on motion of juvenile court judge.] To Judiciary 2.

HB 60 - Introduced by McKnight
"To amend Article 12A of Chapter 143 of the General Statutes so as to increase the death benefits for law enforcement officers." [Amends GS 143-166.3 by increasing to $20,000 (now $5,000) awards made by Industrial Commission to survivor of law enforcement officer (as defined in statute) killed while discharging official duties.] To Judiciary 2.

HR 61 - (Joint Resolution) Introduced by Elliott
"Honoring the memory of John G. Dawson, former member of the Senate and Speaker of the House of Representatives." [As title indicates.] Passed three readings and sent to Senate.

HB 62 - Introduced by Messer
"To amend G.S. 48-21(c) to make less restrictive the provisions for waiving an interlocutory decree of adoption." [Amends cited section by authorizing superior court in adoption cases to waive interlocutory decree and probationary period and grant final order of adoption in cases where child to be adopted is a brother or sister, half-brother or half-sister of one of petitioners (now, court may take such action only in cases where child is a grandchild, great grandchild, nephew or niece, grandnephew or grandniece). Also, reduces to 12 (now 16) the age when child who has resided in petitioners' home for five years prior to filing of petition and consents to adoption may be adopted with waiver of interlocutory decree and probationary period. Effective July 1, 1967.] To Judiciary 1.

HB 63 - Introduced by Garren
"To provide for nomination and election of regular Superior Court Judges by the qualified voters of the judicial district in which they reside." [Identical with SB 30, digested in the Senate section of today's bulletin.] To Courts and Judicial Districts.

HB 66 - Introduced by Ramsey of Madison and Messer
"To prohibit the advertising of intoxicating liquor and alcoholic beverages in North Carolina." [Repeals following sections of Alcoholic Beverage Control Act of 1937: GS 18-52 (permitting newspapers, magazines and periodicals to advertise wines, beers and other alcoholic beverages saleable under NC law); GS 18-53 (prohibiting the advertisement of alcoholic beverages in any manner by county stores and prohibiting advertisement of alcoholic beverages on billboards or other devices

by persons, firms or corporations); GS 18-54 (prohibiting advertisement of alcoholic beverages on radio); GS 18-55 (authorizing county ABC boards to adopt regulations-with approval of State ABC board-further prohibiting such advertisement).

Rewrites GS 18-3 of the Turlington Act to make unlawful: advertising of intoxicating liquors or alcoholic beverages (containing more than 5% alcohol by volume) anywhere by any means or method; furnishing of the means of advertising; permitting placement of such signs or billboards on one's property; advertising anywhere or by any means by county store of items it has for sale (such store may post its prices in the store for public view, but may only list brands or kinds of beverages and price of each); broadcasting by radio or television any statement, speech or other message tending to advertise such liquor or alcoholic beverage when the broadcast originates in the State; advertising by newspapers, magazines, or any other medium of publication of such liquor or alcoholic beverage (unlawful for newspaper etc. to accept). Provides that State Board of Alcoholic Control shall revoke (for not less than six months) license or permit of any manufacturer, brewery, wholesaler or retailer authorized to sell such beverages when the Board finds that these provisions have been violated. Provides that Board shall remove from its approved list (for not less than six months) products of manufacturer, brewery or distillery found in violation of these provisions. (GS 18-3, which is rewritten as set out above, now broadly prohibits all advertisement of "liquor", but expressly excludes from its prohibition advertising of beer, lager beer, ale, porter, fruit juices and other light wines containing not more than 3.2% of alcohol by weight). To Propositions and Grievances.

HB 67 - Introduced by Jordan

"To amend Article V, Section 5, of the Constitution of North Carolina to grant an exemption of ten thousand dollars ($10,000) from ad valorem taxation upon the residence of persons of the age of sixty-five years and older." [Amends Art. 5, Sec. 5, of NC Constitution by adding exemption on first $10,000 of appraised value of principal residence of persons sixty-five or older; exemption also to be allowed in case where principal residence is owned by husband and wife by the entireties if either is age sixty-five or older, and extends to survivor of such tenancy. Amendment to be submitted to voters at next general election under laws now governing general elections. Spells out form of ballot. If majority of votes cast favor amendment, Governor shall certify amendment to Secretary of State, who shall enroll amendment among permanent records of office; amendment so certified shall be in effect from and after date of ratification.] To Constitutional Amendments.

HB 68 - Introduced by Johnson of Wake

"To provide for sentences of life imprisonment upon recommendation by the presiding judge where the jury returns a verdict of guilty in capital offenses without recommendation of mercy." [As title indicates. Amends GS 14-17, 14-21, 14-52 and 14-58 to authorize the court in capital cases of murder in first degree, arson, burglary in first degree, and rape, to impose a life sentence even though jury does not recommend mercy. (Cited sections now provide for punishment by death in such cases, or life imprisonment if jury recommends mercy.)] To Judiciary 1.

HB 69 - Introduced by Godwin of Gates

"To amend Chapter 1 of the General Statutes of North Carolina to authorize the allowance of counsel fees to attorneys serving as receivers." [Amends GS 1-507.9 by adding provision authorizing court to pay counsel fees to attorney acting as receiver for insolvent corporation (now authorizes payment of fees for services rendered as receiver only) in those cases that are beyond ordinary routine of receivership and justify retention of legal counsel.] To Judiciary 2.

HB 71 - Introduced by McKnight

"To amend Chapter 14 of the General Statutes so as to abolish capital punishment except in certain cases." [Abolishes capital punishment in certain cases: (1) GS 14-17 (murder in the first degree except premeditated killing of police officer

engaged in official discharge of duties, and killing during kidnap); (2) GS 14-21 (Rape and carnal knowledge against will of female over 12 years old, or rape and carnal knowledge of female under 12 years old); (3) GS 14-52 (Burglary in the first degree); (4) GS 14-58 (Arson); (5) GS 14-279 (apparently intended GS 14-278, Killing in the course of malicious injury to railroad property). Deletes last sentence of GS 14-17 relating to second degree murder.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- HOUSE

HB 57 - (Wake) Introduced by McMillan, Johnson, Twiggs and Bunn
"To amend section 5 of the Charter of the City of Raleigh (Chapter 1184 of the Session Laws of North Carolina, 1949, as amended) relating to general rights and powers." [Amends cited section of charter to include dedication among the means by which the city may acquire real or personal property within or without its corporate limits.] To Local Government.

HB 64 - (Stanly) Introduced by Whitley
"To amend Chapter 1040 of the Session laws of 1945 relating to county planning boards so as to make G.S. 153-9(40) applicable to Stanly County." [Deletes Stanly from list of counties exempted from GS 153-9(40), which authorizes county commissioners to create planning board.] To Counties, Cities and Towns.

HB 65 - (Stanly) Introduced by Whitley
"To fix the fees of jurors in the county court of Stanly county at eight dollars per day." [As title indicates.] To Counties, Cities and Towns.

HB 70 - (Chowan) Introduced by Gates
"To authorize the Town of Edenton to sell the old Fire Station on South Broad Street to the Cupola House Association." [As title indicates. Authorizes town council to sell for the sum of $12,500.] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HR 27 - (Joint Resolution) Beaufort invitation. Reported favorably.
HR 56 - (Joint Resolution) Memorializing Hawfield. Passed three readings.
HR 61 - (Joint Resolution) Memorializing Dawson. Passed three readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

The Speaker appointed the following Representatives to committees as indicated:

Conservation and Development: Jernigan, chairman; Andrews, Barr, Burrus, vice chairmen; Auman, Beatty, Church, Clark of Bladen, Collier, Culpepper, Everett, Fenner, Garner, Gunn, Harkins, Hege, Isaac, Kincaid, Mauney, McKnight, Mills of Anson, Mullinax, Roberson, Strickland, Whitley of Stanly.

Employment Security: Mills of Anson, chairman; Godwin of Craven, Quinn, vice chairmen; Baugh, Billings, Bowles, Calvert, Church, Hunter of Richmond, Love, McKnight, Ragsdale, Raynor, Twiggs, Whicker, Whitley of Stanly.

Federal and Interstate Cooperation: Forbes, chairman; Eagles, Vaughn, vice chairmen; Bailey, Calvert, Culpepper, Gregory, Hunter of Mecklenburg, Hutchins, Phillips,

Poovey, Quinn, Royall, Stewart, Twiggs, Whicker.

Irrigation and Drainage: Elliott, chairman; Burrus, Horton, vice chairmen; Boger, Bryan, Forbes, Jemison, Poovey, Speed, Troxell.

Manufacturers and Labor: Messer, chairman, McFadyen, Tate, vice chairmen; Boger, Church, Clark of Union, Craig, Exum, Garren, Greenwood, Hamrick,Hege, Ingle, Mauney, Merritt, Quinn, Royall, Stewart, Sugg.

Mental Institutions: Chase, chairman; Ervin, Raynor, vice chairmen; Beatty, Bowles, Clark of New Hanover, Craig, Culpepper, Euliss, Johnson of Wake, Leatherman, McFadyen, O'Hanlon, Penny,Poovey, Stewart, Taylor of Transylvania, Tolbert, Twiggs, Woodard.

Public Buildings and Grounds: McGlamery, chairman; Burden, Phillips, vice chairmen; Boger, Britt of Johnston, Elliott, Jordan, Mills of Onslow, Sugg, Taylor of Transylvania, Troxell.

Next session of the House: 10 a.m., Friday, Feb. 17, 1967.

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DAILY BULLETIN

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BULLETIN NO. 8

Friday, February 17, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 33 - Introduced by Futrell and others

"To create a uniform system for the nomination and election of members of county boards of education in all the counties of the State." [Provides for uniform system of electing county boards of education as follows: (1) Commencing with the primary and general elections of 1968, board of education in each county to consist of five members nominated and elected according to primary and general election laws of State governing nomination and election of members of General Assembly (Now, under General Statutes, board members are appointed by General Assembly from nominees of parties, submitted by State Supt. of Public Instruction). (2) Names of five candidates receiving highest votes in party primaries to be placed on ballot of general election, which shall be held quadrennially with members elected for four years; in counties where members are elected from districts, act not to change such districts except that three members shall be elected for four years and two for two years; under Sec. 2 of act, members now serving whose term shall not expire until 1970 shall continue to serve until such expiration; under Sec. 6 of act, all members now serving or who shall hereafter enter upon term of office shall continue until first Mon. in Dec., 1968 when members elected under act shall take office (Now board members serve two years except as otherwise provided by General Assembly). (3) Board to have all powers and duties given to county boards by GS Ch. 115. (4) Vacancies to be filled by action of county executive committee of political party of such member. (5) Persons teaching in or employed by public schools, or teaching in or conducting private school connected with public school, or member of a district school committee, or prohibited by Art XIV, Sec. 7 of State Constitution (double office holding) to be ineligible to serve on board. (6) Board to fix its compensation at not to exceed $10.00 per diem (now $5.00) and 10¢ per mile to and from place of meeting (now 7¢). State Nine Months School Fund to provide $200.00 of annual per diem and mileage costs of each board (now $100.00) with any costs in excess to come from current expense fund budget of county.] To Election Laws and Legislative Representation.

SB 34 - Introduced by Gentry

"To divide North Carolina into Congressional Districts." [Rewrites GS 163-103 (establishes US Congressional Districts) to redistrict for purpose of nominating and electing NC Representatives to US Congress in 1968 and every two years thereafter. Provides for one Representative from each of 11 districts as follow:

District 1: Beaufort, Bertie, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington.

District 2: Edgecombe, Franklin, Greene, Halifax, Nash, Vance, Warren, Wayne, Wilson.
District 3: Bladen, Brunswick, Columbus, Duplin, Lenoir, New Hanover, Onslow, Pender, Sampson.
District 4: Durham, Granville, Harnett, Johnson, Wake.
District 5: Anson, Cumberland, Hoke, Lee, Moore, Richmond, Robeson, Scotland.
District 6: Alamance, Caswell, Guilford, Orange, Person.
District 7: Cabarrus, Chatham, Davidson, Davie, Montgomery, Randolph, Rowan, Stanley, Yadkin.
District 8: Iredell, Lincoln, Mecklenburg, Union.
District 9: Alleghany, Ashe, Forsyth, Rockingham, Stokes, Surry, Wilkes.
District 10: Alexander, Avery, Burke, Caldwell, Catawba, Cleveland, Gaston, Watauga.
District 11: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey.

Present law (GS 163-103 as amended in 1966) to remain in force until Jan., 1969, to govern filling of any vacancy occuring in term of office which ends in Jan., 1969.] To Rules.

SB 35 - Introduced by Wood

"To divide North Carolina into Congressional Districts." [Rewrites GS163-103 (establishes US Congressional Districts) to redistrict for purpose of nominating and electing NC Representatives to US Congress in 1968 and every two years thereafter. Provides for one Representative from each of 11 districts as follow:

District 1: Beaufort, Bertie, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington.
District 2: Edgecombe, Franklin, Granville, Greene, Halifax, Lenoir, Nash, Vance, Warren, Wilson.
District 3: Duplin, Harnett, Johnston, Lee, Onslow, Pender, Sampson, Wayne.
District 4: Caswell, Chatham, Durham, Orange, Person, Wake.
District 5: Alamance, Guilford, Rockingham, Stokes.
District 6: Davidson, Forsyth, Hoke, Montgomery, Moore, Randolph.
District 7: Bladen, Brunswick, Columbus, Cumberland, New Hanover, Robeson, Scotland.
District 8: Anson, Mecklenburg, Richmond, Stanly, Union.
District 9: Alexander, Cabarrus, Caldwell, Davie, Iredell, Rowan, Surry, Wilkes, Yadkin.
District 10: Burke, Catawba, Cleveland, Gaston, Lincoln, Polk, Rutherford.
District 11: Alleghany, Ashe, Avery, Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, Watauga, Yancey.

Present law (GS 163-103 as amended in 1966) to remain in force until Jan., 1969 to govern filling of any vacancy occuring in term of office which ends in Jan., 1969.] To Rules.

*SB 36 - Introduced by Bailey

"To create the Governor's Committee on Law and Order." [Creates Governor's Committee on Law and Order with duties to coordinate activities of responsible state and local law enforcement agencies;make studies and recommendations for improvement of law enforcement and criminal justice; and seek ways to continue to make NC safe and secure state for its citizens. Committee to consist of following members: Governor, Att'y Gen'l, SBI Director, Revenue Comm'r, Highway Patrol Cdr., Director of Dept. of Admin., NC Good Neighbor Council Ch'man, Adjutant Gen'l of NC Nat'l Guard, representative of NC Sheriffs' Ass'n, representative of NC Ass'n of Chiefs of Police and such other members as Governor may deem proper. Ex officio members to serve during tenure of public office. Representatives of Sheriffs' and Police Chiefs Ass'ns to serve one-year renewable appointments; said appointments together with one alternate each, to be made by Governor before July 1 of each year from

list of not less than three names submitted by respective Ass'ns. Other members appointed by Governor serve at his pleasure. Governor to be chairman but may name another of Committee to serve in that capacity at his pleasure. No compensation provided for Committee members, except representatives of Sheriffs' and Police Chiefs Ass'ns, and their alternates, attending meeting of Committee, who receive such per diem and travel allowance as allowed State Commissions and Boards. Identical with HB 75.] To State Government.

SB 37 - Introduced by Whitehurst

"To confer upon the State Board of Health the authority to promulgate reasonable regulations concerning the use of ethyl alcohol in chemical testing programs in North Carolina." [Adds to GS 20-139.1 provision that State Board of Health may make regulations, consistent with controlling federal law, concerning ingestion of controlled amounts of beverages containing ethyl alcohol by individuals submitting to chemical analyses in scientific, experimental, education or demonstration programs. Persons acquiring ethyl alcohol or beverage containing it under regulations to keep records of disposition, to be available for inspection by federal or state law enforcement officer having jurisdiction over laws relating to alcohol or intoxicating liquor. Acts done pursuant to regulations are lawful despite other laws or regulations of state or its subdivisions. Regulations to be filed and published in accordance with GS 143-195 to 143-198.1 but proof of this shall not be prerequisite to introduction of such regulations into evidence in any proceeding.] To Highway Safety.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 12 - Sanitary district dissolution. Reported favorably.
SB 29 - Reflectorized vehicle plates. Reported favorably; placed on Calendar for Feb. 21.

HR 15 - (Joint Resolution) Seaboard invitation. Received from House; sent to Rules.
HR 27 - (Joint Resolution) Beaufort invitation. Received from House; sent to Rules.
HR 61 - (Joint Resolution) Memorializing Dawson. Received from House; passed three readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 17 - (Catawba) Conover boundaries. Passed

The President added Senator Allsbrook to the Committee on Public Health.

Next sessions of Senate: 9:00 a.m., Saturday, February 18, 1967 for consideration of local bills only;
8:00 p.m., Monday, February 20, 1967.

BULLETIN NO. 8
Friday, February 17, 1967

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 74 - Introduced by Taylor of Transylvania and Jordan
"To amend the marriage laws so as to eliminate epilepsy as an impediment to marriage." [Amends GS 51-9 to eliminate the requirement, in applying for marriage license, that health certificate state applicant was found by examining physician to be not "subject to uncontrolled epileptic attacks". Amends GS 51-12 to eliminate requirement, for granting marriage license, that eugenic sterilization has been performed on applicant who has been adjudged by court of competent jurisdiction as being "subject to epileptic attacks".] To Judiciary 1.

HB 75 - Introduced by Britt of Johnston
"To create the Governor's Committee on Law and Order." [Identical with SB 36, digested in the Senate section of today's bulletin.] To Judiciary 2.

HB 76 - Introduced by Carson
"To amend G.S. 18-90.1, so as to make it a misdemeanor for a minor under the age of eighteen (18) years to possess or consume alcoholic beverages." [Adds to cited section provision forbidding minor under 18 to possess or consume, or for anyone to aid or abet such minor in possessing or consuming, any products described in GS 18-64 (beer, lager beer, ale, porter, and other brewed or fermented beverages containing 1/2% of alcohol by volume but not more than 5% alcohol by weight and unfortified wines) or in GS 18-60 (any alcoholic beverage that contains more than 14% alcohol by volume).] To Propositions and Grievances.

HB 77 - Introduced by Haynes
"To create a tenure system for public school teachers." [Adds new GS 115-142.1 requiring each county and city board of education to establish tenure systems for public school teachers (defined to include all teachers in public school system, including classroom teachers, supervisors, principals, and vocational education teachers, who hold regular certificates issued by State Board of Education, but not to include county superintendents) in each administrative unit who (1) hold regular certificate and (2) have completed three years of probationary service in administrative unit during period not in excess of five successive years, and (3) have been reappointed for fourth year. Teachers meeting these requirements to be issued contract in form prescribed by regulations of State Board to be effective at beginning of school year following completion of requirements. Three-year probationary service may be extended to four years when county or city board orders and teacher accepts in writing at time of reappointment. Teachers complying with above requirements may continue in position or similar position in county at salary schedule authorized by local board without necessity for annual nomination or reappointment, until position is discontinued, teacher resigns, or contract is terminated for cause. Teachers who have been in teaching service for total of five years automatically to be subject to tenure contract set out above; teachers not subject or eligible shall continue employment according to employment contract established for non-tenure teachers or probationary teachers not eligible for tenure contracts. Tenure contracts may be terminated for cause by local board in accordance with procedures set out in act for any of following reasons: immorality, misconduct in teaching service, inefficiency or incompetence, insubordination against reasonable rules of board of education or refusal to obey reasonable orders of principal or superintendent, sexual offenses, willful neglect of duty, drunkenness, display of whisky in public place or on school grounds, disability as shown by competent medical evidence, elimination of position to which teacher was appointed if no other position exists to which he or she may be appointed if qualified, or conviction of crime involving moral turpitude. Board of education empowered to issue subpoenas and administer

oaths in connection with termination hearings.] To Education.

HB 78 - Introduced by Billings
"To amend G.S. 136-61 relating to the improvement of secondary roads which are school bus routes." [Adds to GS 136-61 (relating to duties of State Highway Commission for secondary roads) requirement that, in establishment by SHC of state-wide standards and criteria for additions to and maintenance and construction of secondary roads, or of policies for annual maintenance and construction plans, or priority systems for secondary roads, "first priority" shall be given to school bus routes for construction or improvement in accord with all-weather standards adopted by SHC for secondary roads.] To Roads.

HB 79 - Introduced by Harrill
"To require clerks of superior courts to maintain a list of attorneys who are willing to represent indigent defendants." [Requires every CSC to keep list of attorneys who request to be listed as willing to represent indigent defendants and petitioners in criminal actions in county; attorneys to be listed in alphabetical order with number of indigent cases assigned during past 12 months; CSC to make list available to presiding judge on first day of term of superior or district court which has criminal cases docketed.] To Judiciary 2.

HB 80 - Introduced by Godwin of Craven
"To amend G.S. 105-141(b) to exempt from taxation retirement benefits received by certain retired federal employees." [Amends cited section by adding new subdivision (12) to exclude from "gross income" subject to State income tax any amounts received during any year under federal employee retirement program to which employee made contributions during his working years. Effective for income years beginning on and after Jan. 1, 1967.] To State Personnel.

LOCAL BILLS INTRODUCED -- HOUSE

HB 72 - (Bertie) Introduced by Burden and Jernigan
"To increase the number of commissioners of the Town of Aulander from three to five, and to fix the compensation of the mayor and commissioners." [Amends various provisions of Ch. 288 of Pub-Loc Laws 1939 to increase number of Aulander commissioners to five (now, three), to provide that ten (now, five) candidates with largest primary vote shall be primary nominees for commissioners in general election, and to increase board quorum to four (now, three). Changes effective for regular 1967 and succeeding elections and elected officials to take office July 1 following each biennial election. Fixes mayor's salary at $1,000 per year; commissioners' at $25 per month.] To Local Government.

HB 73 - (Bertie) Introduced by Burden and Jernigan
"To repeal Chapter 903 of the Session Laws of 1947, relating to the Town of Aulander in Bertie County." [Repeals SL 1947, Ch. 903 which prohibits sale of wine and beer within one mile of Aulander Baptist church and within one mile of Aulander High School.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 11 - (Joint Resolution) Seaboard invitation. Received from Senate; passed second and third readings.
SR 15 - (Joint Resolution) Beaufort invitation. Received from Senate; passed second and third readings.
SR 22 - (Joint Resolution) Charlotte invitation. Received from Senate; placed on calendar for February 20.
SR 32 - (Joint Resolution) Memorializing Richardson. Received from Senate; passed second and third readings.

HR 27 - (Joint Resolution) Beaufort invitation. Passed second and third readings on Feb. 16.
HR 44 - (Joint Resolution) Charlotte invitation. Reported favorably.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

HB 24 - (Pamlico) Pistol permits. Passed.
HB 48 - (Pasquotank) School board consolidation. Re-referred to Finance.
HB 49 - (Chowan) School board consolidation. Amended to require vacancies in Edenton-Chowan Board of Education to be filled within 30 days after vacancy occurs. Re-referred to Finance.
HB 54 - (Moore) School election postponement. Passed.

The following unnumbered House Resolution was introduced and adopted.
Introduced by Johnson of Duplin
"To allocate funds for certain telephone and postage requirements for members of the House of Representatives." [Provides that telephone services be provided to each member of House of Representatives for 1967 Session in accordance with schedule based upon distance of respective districts from State Capitol. Payment by member for telephone services in excess of allocation are to be adjusted with computation of terminal expense allowance. Also authorizes Rules Committee to allocate telephone service and postage not (to exceed $2,500 for all chairmen) to several committee chairmen; Principal Clerk authorized to purchase and furnish each member's postage as needed during Session, not to exceed $100 per member; Clerk to maintain records of amount of postage furnished each member.] Adopted.

The Speaker appointed the following Representatives to committees as indicated:

Trustees of the University: Paschall, chairman; Gregory, Merritt, Ragsdale, vice chairmen; Andrews, Baugh, Bowles, Britt of Johnston, Bryan, Clark of New Hanover, Exum, Godwin of Craven, Haynes, Hofler, Hunter of Mecklenburg, Hunter of Richmond, Johnson of Duplin, Johnson of Wake, Jones, Kiser, McFadyen, Mullinax, Stanford, Tate, Woodard.

Senatorial Districts: Hofler, chairman; Britt of Johnston, Messer, vice chairmen; Beatty, Boger, Bumgardner, Exum, Fenner, Harkins, Horton, Johnson of Cabarrus, Johnson of Wake, Mills of Anson, Mohn, Penny, Tart.

Military and Veteran's Affairs: Godwin of Craven, chairman; Mills of Onslow, Raynor, vice chairmen; Barr, Bumgardner, Clark of Bladen, Craig, Ervin, Harrill, Johnson of Cabarrus, McMillan of Wake, Mitchell, Speed, Staton, Troxell, Williamson, Whicker.

Justices of the Peace: Ramsey of Madison, chairman; Falls, O'Hanlon, vice chairmen; Collins, Garner, Hunter of Mecklenburg, Johnson of Cabarrus, Mullinax, Staton, Stewart.

Health: Tate, chairman; Hofler, Vogler, vice chairmen; Baugh, Billings, Bumgardner, Chase, Falls, Hege,Jemison, Johnson of Cabarrus, Love, McMillan of Wake, Merritt, Mills of Anson, Mitchell, Phillips, Raynor, Royall, Stanford, Troxell, Woodard.

Enrolled Bills and Expenditures of the House: Merritt, chairman; Greenwood, Ragsdale, vice chairmen; Andrews, Barr, Chase, Craig, Edwards, Elliott, Godwin of Gates, Ingle, Kincaid, Leatherman, Whicker.

Next sessions of the House: 10:00 a.m., Saturday, February 18, 1967, for consideration of local bills only.
8:00 p.m., Monday, February 20, 1967.

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P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 9
Monday, February 20, 1967

Note: The Senate convened at 9:00 a.m., Saturday, February 18, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 41 - Introduced by Gilmore
"To appropriate funds to the North Carolina Association of Rescue Squads for the purchase of a mobile communications center." [Identical with HB 89, digested in the House section of today's bulletin.] To Appropriations.

SB 42 - Introduced by Warren, Bailey and Harrington
"To create a Court of Appeals in the Appellate Division of the General Court of Justice; to allocate appellate jurisdiction between the Supreme Court and the Court of Appeals; to provide for the retirement and recall to temporary service of certain justices and judges; and for other purposes." [Amends GS Ch. 7A, as follows:

Appellate Division, General Court of Justice. Provides for organization of Appellate Division (App/Div) of General Court of Justice (GCJ), to consist of Supreme Court and Court of Appeals (C/A). Supreme Ct. to appoint reporter for App/Div, who prepares for publication all decisions of Supreme Ct. and C/A. Administrative Officer of the Courts (AOC) to contract for printings of advance sheets and bound reports of Supreme Ct. and C/A. Each justice and judge of App/Div entitled to one research assistant (law school graduate).

Supreme Court. Rewrites generally GS 7-1 through 7-39, omitting obsolete matter. Annual salary of Supreme Ct. justices to be set by Budget Appropriations Act. Supreme Ct. to appoint clerk for 8-yr. term, and set clerk's fees by rule. Supreme Ct. to appoint marshal to serve at its pleasure; librarian or "other suitable employee" may be marshal. Supreme Ct. appoints librarian, to serve at its pleasure. Library serves App/Div, but under regulations of library committee (2 Supreme Ct. justices, 1 C/A judge) may serve trial divisions of GCJ, State agencies and gen'l public. Branch libraries may be established in seats of C/A (outside Raleigh), if any. Librarian authorized to operate copying service, & furnish copies of documents under seal.

Court of Appeals - Organization. Creates (effective Jan. 1, 1967) C/A, initially consisting of 6 judges. Gov. after July 1, 1967 to appoint original 6 judges, who serve until Jan. 1, 1969, when replaced by judges elected in general election of Nov., 1968. Effective Jan. 1, 1969, number of judges increased to nine. Additional three appointed by Governor to serve until January 1, 1971 when replaced by judges elected in general election of Nov., 1970. Terms: 8 years, running from Jan. 1, 1967 (6 judges) and Jan. 1, 1969 (3 judges). C/A to sit in Raleigh and at such other sites as the Supreme Ct. may designate. Ch. Justice of Supreme Ct. to appoint Ch. Judge of C/A. Upon appointment of Ch. Judge, and at least 4 more judges,

C/A authorized to convene, organize, & promulgate, subject to Supreme Ct. approval, supplementary rules for discharge of appellate business assigned to it. C/A to sit in panels of 3 judges each; judges assigned to panels by Ch. Judge so that each judge sits as near as may be an equal number of times with each other judge. Ch. Judge to schedule sessions of court as necessary. Three judges constitute a quorum, except for issuance of certain writs. Salary of C/A judges set by Budget Appropriations Act. C/A to appoint clerk to serve at its pleasure, and fix clerk's fee bill.

Jurisdiction - Appellate Division. In death or life imprisonment cases, appeal will lie of right direct (by-passing C/A) to Supreme Court. From all other final judgments of superior court, and final judgments of District Court (D/C) in civil cases, appeal will lie of right direct to C/A. From interlocutory orders of superior ct. or D/C in civil cases, appeal will lie of right direct to C/A. From final orders of N.C. Utilities Comm. or N.C. Industrial Comm., appeal will lie of right direct to C/A; from final orders of all other administrative agencies, appeal will lie of right to superior court.

Appeal will lie of right to Supreme Ct. from C/A in a case: (1) which "directly involves a substantial question" arising under the Constitution of the U.S. or of N.C.; (2) in which there is a dissent; or (3) which involves review of a decision of the N.C. Utilities Comm. in a general rate-making case.

Supreme Court to have discretionary power to review appeals filed in App/Div before C/A acts, when: (1) subject matter of appeal has significant public interest; (2) case involves legal principles of major significance to jurisprudence of State; (3) delay in final adjudication likely to cause substantial harm; or (4) workload of App/Div. is such that expeditious admin. of justice requires Supreme Ct. to take case (certify it) directly. Appeals from N.C. Util. Comm. & N.C. Ind. Comm. excepted from above; these must be heard 1st in C/A.

Supreme Ct. to have discretionary power to review appeals filed in App/Div. after C/A has acted, when: (1) subject matter has significant public interest; (2) case involves legal principles of major significance to jurisprudence of State; or (3) decision of C/A appears likely to be in conflict with decision of Supreme Ct. Procedure for call-up (certification) of case by Supreme Ct., once case filed in App/Div, and before or after C/A has acted, is prescribed by rule of Supreme Ct. Supreme Ct. and C/A have power to issue remedial writs, and Supreme Ct. prescribes rules of practice and procedure for App/Div.

New jurisdiction App/Div effective Oct. 1, 1967. Cases on appeal to Supreme Ct. on that date governed by prior laws and rules. Civil cases tried in D/C and on appeal to superior ct. on Oct. 1 to be disposed of as provided by Supreme Ct. rule. Supreme Ct. empowered to issue any temporary additional rules needed during transitional period.

Retirement & recall, etc., of justices and judges of App/Div. Rewrites generally GS 7-39.1, 7-39.15, 7-50, 7-51, 7-51.1, 7-51.2. Service as judge of C/A treated same for retirement purposes as service on Supreme Court, under "age 65 and 15 years service" clause, "age 65 and 12 consecutive years service" clause, "age 75 and 8 consecutive years service" clause, and "total of 24 years service" clause. Service as AOC treated same as service as superior court judge, for "tacking" purposes. (Service as Attorney General deleted.) Service as superior court solicitor, for "tacking" purposes under "24 years" clause, discontinued after January 1, 1971. Retired justices and judges subject to temporary recall, for service on bench from which retired, in place of an active justice or judge temporarily incapacitated. Retired justices and judges receive for life 2/3 pay of office from which retired. In addition, when serving on temporary recall retired justices and judges receive expenses and $100 per week. Justices and judges may retire, after eight years service on Supreme Ct., C/A, superior court, as AOC, or any combination of these offices, for total and permanent disability, and are not subject to recall.

Retirement & Recall, etc., of Judges of Superior Court. Rewrites generally GS 7-50, 7-51, 7-51.1 and 7-51.2. Superior Ct. judge may retire under "age 65 and 15 years service" clause, "age 68 and 12 years service" clause (new), and "total of 24 years service" clause. Service as AOC treated same as service as superior ct. judge. (Service as Attorney General deleted.) Service as solicitor, for "tacking" purposes under "24 years service" clause, deleted after 1 January 71. Judges must retire at end of term after reaching age 70, if eligible for retirement benefits. Judges subject to recall to active service for temporary duty under same conditions generally as App/Div justices and judges. Disability retirement after 8 years service continued. Retirement compensation at 2/3 active duty pay continued.

Repeals GS 7A-280 through 7A-287 ("Jurisdiction and Procedure in Civil Appeals from District Courts") effective Sept. 30, 1967, except for cases appealed thereunder and not finally decided on that date, which cases are governed by Supreme Ct. rule. Repeals GS 7-1 through 7-39.15, 7-50, 7-51, 7-51.1, 7-51.2, 7-70, 7-70.1, 7-71, 7-71.1, 7-71.2, 7-75, and 7-79, except to extent necessary to effect transitional provisions of Act. Effective July 1, 1967. Identical with HB 87.] To Courts and Judicial Districts.

LOCAL BILLS INTRODUCED -- SENATE

SB 38 - (Cabarrus) Introduced by Boger and Griffin

"Relating to the compensation of the Register of Deeds of Cabarrus County." [Sets annual salary of register of deeds at $8,500 to be paid out of general fund of county. Authorizes comm'rs to increase or decrease fees and commissions now provided by law to be charged by register by not to exceed 20% each fiscal year. Effective July 1, 1967.] To Local Government.

SB 39 - (Cabarrus) Introduced by Boger and Griffin

"To fix the salary of the sheriff of Cabarrus County." [Increases salary of sheriff to $9,000 (now $8,000) annually, payable in equal monthly installments from county general fund. Effective July 1, 1967.] To Local Government.

SB 40 - (Cabarrus) Introduced by Boger and Griffin

"To provide for a non-partisan election of the Cabarrus County Board of Education." [Provides for countywide, non-partisan election of 5-member county board of education to be held at same time as regular primary for county officers and, insofar as practicable, in accordance with State general election laws. Candidates to file for office within time required for county officers in primary; no filing fee required. Names of candidates to be placed on ballot without party designation. In 1968 and 1970 elections two persons receiving highest number of votes to serve 6-year terms; in 1972 person receiving highest number of votes to serve 6-year term. Biennially thereafter, number of candidates equal to number of members to be elected, who receive highest number of votes to serve 6-year terms. Persons elected to take office July 1 of year elected. Terms of present members expiring in April 1969, April 1971, and April 1973, each accelerated to June 30, of year preceeding present expiration. Vacancies to be filled by remaining Board members to serve unexpired term.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 12 - Sanitary district dissolution. Amended to authorize sanitary district board to convey all assets to any county, municipality, or other governmental unit, or to any certificated public utility company in return for assumption of obligation to provide water and sewage services to the area served by district (Originally, only authorized to convey to a public utility company.). Passed second and third readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 7 - (Onslow) Jacksonville elections. Withdrawn from Election Laws and Legislative Representation; rereferred to Counties, Cities and Towns.

HB 24 - (Pamlico) Pistol Permits. Received from House; sent to Local Government.
HB 54 - (Moore) School election postponement. Received from House; sent to Local Government.

The President made the following committee changes:

Finance: Delete name of Senator McLendon; add name of Senator Parrish.

Appropriations: Delete name of Senator Parrish; add name of Senator McLendon.

The President appointed the following committees as indicated:

Public Welfare: MacLean, chairman; Gentry, vice-chairman; Penn, vice-chairman; Allen, Austin, Bryan, Dent, Evans, Green, Henkel, Henley, Norton, White of Cleveland, Whitehurst.

Manufacturing, Labor and Commerce: Bailey, chairman; Currie, vice-chairman; Simmons, vice-chairman; Bridgers, Buchanan, Byrd, Coggins, Evans, Gilmore, Kemp, MacLean, Nielson, Osteen, Rauch, Shuford.

Courts and Judicial Districts: Warren, chairman; Griffin, vice-chairman; White of Lenoir, vice-chairman; Bailey, Boger, Bridgers, Briggs, Burney, Byrd, Currie, Ellis, Harrington, McGeachy, McLendon, Morgan, White of Cleveland.

University Trustees: McLendon, chairman; Matheson, vice-chairman; Buchanan, vice-chairman; Whitehurst, vice-chairman, Alford, Allen, Allsbrook, Ellis, Gilmore, Griffin, Hancock, Harrington, Kemp, McGeachey, Moore, Morgan, Nielson, Norton, Osteen, Scott, Shuford, White of Cleveland, Wood.

Constitution: Burney, chairman; Harrington, vice-chairman; Warren, vice-chairman; Bagnal, Briggs, Buchanan, Evans, Futrell, Green, Griffin, Henkel, Kemp, Maxwell, Nielson, Simmons.

Conservation and Development: Futrell, chairman; Henkel, vice-chairman; Wood, vice-chairman; Austin, Boger, Brumby, Burney, Dent, Gilmore, Hancock, Henley, Maxwell, McGeachy, Parrish, White of Lenoir, Whitehurst.

Mental Health: Coggins, chairman; Morgan, vice-chairman; Scott, vice-chairman; Alford, Bagnal, Boger, Brumby, Bryan, Byrd, Evans, Gentry, Green, McGeachy, Norton, Simmons, Warren.

Libraries: Brumby, chairman; MacLean, vice-chairman; Austin, vice-chairman; Allsbrook Bailey, Bryan, Gilmore, Matheson, Moore, Osteen, Parrish, Penn, Shuford, White of Cleveland, Whitehurst.

Insurance: Alford, chairman; Bailey, vice-chairman; Allsbrook, vice-chairman; Allen, Bagnal, Byrd, Futrell, Gentry, Hancock, Henley, McLendon, Parrish, Penn, Rauch, White of Lenoir.

Banking: McGeachy, chairman; MacLean, vice-chairman; Coggins, vice-chairman; Alford, Bagnal, Bailey, Currie, Dent, Futrell, Griffin, Henley, Kemp, Moore, Scott, Shuford, Wood.

Higher Education: Shuford, chairman; Morgan, vice-chairman; McLendon, vice-chairman; Alford, Coggins, Currie, Boger, Bridgers, Brumby, Ellis, Matheson, Maxwell, Nielson, Scott, Warren, Wood.

Next session of Senate: 12 noon, Tuesday, Feb. 21, 1967.

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BULLETIN NO. 9
Monday, February 20, 1967

Note: The House convened at 10:00 a.m., Saturday, February 18, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 82 - Introduced by Eagles and Fenner

"To authorize the State Board of Education to establish an extension unit of the North Carolina system of community colleges in Edgecombe County to be designated the Edgecombe County Technical Institute Extension Unit." [As title indicates; unit to be established and operated pursuant to policies of Board and applicable provisions of GS Ch. 115 (Elementary and Secondary Education) and GS Ch. 115A (Community Colleges). Appropriates to Board from General Fund for fiscal year 1967-68, $116,200, and for fiscal year 1968-69, $94,700, to equip and operate authorized unit.] To Education.

HB 85 - Introduced by Hutchins

"Permitting unsecured bail bonds and personal recognizances, prior to trial, of persons accused of non-capital crimes." [Adds new GS 15-103.1 authorizing officers who may fix and take bail pursuant to GS 15-102 (before imprisonment) and GS 15-103 (after imprisonment) to release persons accused of non-capital crimes on their personal recognizance or upon an unsecured appearance bond. In deciding whether to order the release, the officer shall inquire of the arresting officer, or any other person with knowledge of facts, if a release will reasonably assure appearance of accused. Officer may impose one or more of following conditions of release: (1) place accused in custody of designated person or organization agreeing to supervise him; (2) place restrictions on travel, association, or place of abode of accused during period of release; (3) impose any other condition reasonably necessary to assure appearance, including a condition requiring accused to return to custody after specified hours. In determining which conditions of release will reasonably assure appearance, officer shall take into account: nature and circumstances of offense charged, weight of evidence against accused, the accused's family ties, employment, financial resources, character and mental condition, length of residence in community, record of convictions, record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings.

Provides that information stated in order of release, or offered in connection therewith, need not conform to rules pertaining to admissibility of evidence in court. Act does not prevent disposition of any case by forfeiture of collateral security when such disposition is authorized by court. Act not to alter or supersede Art. 11 of GS Ch. 15 (Forfeiture of Bail).] To Judiciary 2.

HB 87 - Introduced by Vaughn and others

"To create a Court of Appeals in the Appellate Division of the General Court of Justice; to allocate appellate jurisdiction between the Supreme Court and The Court of Appeals; to provide for the retirement and recall to temporary service of certain justices and judges; and for other purposes." [Identical with SB 42, digested in the Senate section of today's bulletin.] To Courts and Judicial Districts.

HB 89 - Introduced by Messer and others

"To appropriate funds to the North Carolina Association of Rescue Squads for the purchase of a mobile communications center." [Appropriates $25,000 from General Fund to NC Ass'n of Rescue Squads to be expended for purchase and equipping of mobile communications center. Identical with SB 41.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 81 - (Jones) Introduced by Horton and Elliott
"To increase the compensation of the chairmen and members of the Jones County Board of Commissioners and the Jones County Board of Education." [Increases compensation of chairman of board of county comm'rs from $50 to $100 per month and of other members of board of comm'rs and board of education from $25 to $75 per month; such compensation to be in addition to mileage allowances now authorized.] To Education.

HB 83 - (Orange) Introduced by Stanford
"To amend Chapter 1107, Session Laws of 1965, relating to the creation of recreation districts." [Amends cited act (authorizes creation of recreation districts in Orange County and issuance of bonds, levy of taxes, and operation of such facilities) by amending Sec. 9 to reduce from six to three months time required to wait before a vote (requested by petition of at least 10% of resident freeholders of such recreation district) on proposed recreation facility may be resubmitted to voters of district after a majority has either voted against it or not voted. Adds to Sec. 14 of cited act provision that act shall be construed to permit holding of special election on issue of creating recreation district and levy of annual tax (not less than 3¢ nor more than 10¢ per $100 assessed valuation of taxable property) but without provision in petition for issuance of bonds or submitting such question to voters.] To Counties, Cities and Towns.

HB 84 - (Orange) Introduced by Stanford
"To amend Chapter 87, Session Laws of 1961, being the Charter of the Town of Chapel Hill." [Amends 1961 SL, Ch. 87, Sec. 3.01, by adding: "The Board of Aldermen shall constitute the legislative body of the municipality." Section now provides that governing body of Chapel Hill consists of mayor and board of aldermen.] To Counties, Cities and Towns.

HB 86 - (McDowell) Introduced by Jordan and Hutchins
"To amend Chapter 893, Session Laws of 1959, relating to the compensation of certain officials of McDowell County." [Amends cited law to set annual salary of sheriff at not less than $7,500 (now $5,000) nor more than $10,000 (now $7,500). Authorizes sheriff to appoint office deputy or secretary to receive annual salary of $3,640 and jail matron to receive annual salary of $3,120; may also appoint jail matron as special deputy without additional compensation. Authorizes sheriff to appoint five (now, two) additional deputies. Further amends cited law, as amended by 1963 SL, Ch. 1202, to set salary of chief deputy at not less than $5,201 (now $3,600) nor more than $6,700 (now $4,800); salary of assistant chief deputy at not less than $4,940 (now $3,300) not more than $5,720 (now $4,500) and the salaries of regular deputies at not less than $4,680 (now $3,000) nor more than $5,200 (now $4,200); all salaries to be set by board of county comm'rs.] To Local Government.

HB 88 - (Nash) Introduced by Barbee, Eagles and Fenner
"To make it a misdeameanor to abandon domestic animals on public highways, public places or property of another in Nash County." [As title indicates.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 22 - (Joint Resolution) Charlotte invitation. Passed.

HR 44 - (Joint Resolution) Charlotte invitation. Postponed indefinitely.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 17 - (Catawba) Conover boundaries. Received from Senate; sent to Local Government.

The following unnumbered House Resolution was introduced and placed on the calendar.

Introduced by Johnson of Duplin for the Rules Committee.

"To adopt the permanent Rules of the House of Representatives for the 1967 General Assembly of North Carolina." [Substantially adopts the 1965 Rules of the House except as follows: (1) makes a number of minor changes in wording and renumbers and rearranges several rules; (2) adds provision to Rule 12 prohibiting consumption of food or beverages on the floor of House while House in session and in the galleries at any time; (3) amends Rule 14 by deleting part of section (b) stating the six motions that are in order when a question is under debate and giving their order of precedence; (4) amends Rule 16(a) by adding provision that a motion to table is always in order except when a motion to adjourn is before the House; (5) adds new Rule 16(e) providing that when a question has been tabled, the same shall not be acted upon again during the session except by two-thirds vote; (6) amends Rule 28 by changing "Mental Institutions" to "Mental Health"; (7) redesignates Rule 35 as Rule 36 and adds provision requiring copy of each bill to be placed in the office of each member; (8) amends Rule 49 by adding committees on Congressional Districts and Trustees of the University to list of committees for which the Chairman, with approval of Speaker, may appoint a clerk; (9) adds new rule prohibiting persons other than members of General Assembly, officers or staff, from placing or causing to be placed any material on members' desks without consent of Speaker or Principal Clerk; (10) redesignates Rule 57 as Rule 58 and adds subsection (b) authorizing (except as the rules provide otherwise) temporary suspension of any rule upon two-thirds vote of members present and voting.] Placed on Calendar.

Next session of House: 12 noon, Tuesday, February 21, 1967.

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BULLETIN NO. 10

Tuesday, February 21, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 43 - Introduced by Austin
"To amend G. S. 148-33.1 relating to the eligibility of work release inmates." [Adds to GS 148-33.1 provision that no prisoner who has been convicted of the felonies of murder, rape, burglary, arson, or any degree thereof, shall be eligible for participation in Work Release Program.] To Correctional Institutions.

SB 44 - Introduced by Whitehurst
"To authorize the State Board of Education to convert the Craven County Extension Unit to a technical institute and to make appropriations therefore." [As title indicates; authorizes conversion of extension unit to a technical institute, as defined in GS 115A (providing for community colleges, technical institutes, and industrial education centers). Appropriates to State Board of Education for fiscal year 1967-68, $58,946 for equipment and $65,461 for current operating expenses; for fiscal year 1968-69, $15,559 for equipment and $80,720 for current operating expenses. Conversion contingent on approval by county election of special tax sufficient to provide local financial support of technical institute as required by GS 115A (providing for special annual levy for specified capital outlay and current operating expenses within maximum rate approved by majority of qualified voters). Identical with HB 92.] To Appropriations.

SB 45 - Introduced by Osteen and others
"To amend G. S. 163-50 by deleting a portion of the oath required of a voter changing his political party affilation." [Amends cited section to delete that portion of oath of voter changing party affilation in which voter swears to support nominees of party in ensuing elections.] To Elections and Election Laws.

SB 47 - Introduced by Ellis
"To amend G.S. 2-53 relating to payment from trust funds held by the Clerk of Superior Court." [Adds to GS 2-53 provision that upon filing with clerk of superior court of verified petition by parent of a minor, indigent or needy child, or incompetent or insane person who has remained under disability upon reaching age 21, for whom there is no guardian, and upon satisfactory proof of necessities of such person and regardless of amount of monies which clerk holds for such person, the clerk may pay out of these monies to petitioning parent sum he determines in best interest of person under disability to be used for his sole benefit.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- SENATE

SB 46 - (Transylvania) Introduced by Brumby
"To amend Chapter 113 of the private laws of 1903 relating to ordinances of the Town of Brevard." [Deletes requirement that ordinances passed by Brevard Board of Aldermen be posted on courthouse door and at two other places in Town for five days before becoming effective. Ratifies all existing Brevard ordinances.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 29 - Reflectorized vehicle plates. Reported favorably; passed second and third readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 7 - (Onslow) Jacksonville elections. Passed second and third readings.

The President made the following committee changes:

Public Welfare: Delete name of Senator Whitehurst.

Mental Health: Delete name of Senator Scott; add name of Senator Allsbrook.

Libraries: Delete names of Senator Allsbrook and Senator Whitehurst; add name of Senator Scott.

Constitution: Add name of Senator Whitehurst.

The Senate adopted an amendment to Rule 33 (a) of the Senate Rules of 1967 to provide that a Senator may hold membership on a maximum of 12 standing committees without approval of the Rules Committee (now, 11).

Next session of Senate: 12 noon, Wednesday, Feb. 22, 1967.

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BULLETIN NO. 10
Tuesday, February 21, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 92 - Introduced by Godwin and others
"To authorize the State Board of Education to convert the Craven County Extension Unit to a technical institute and to make appropriations therefore." [Identical with SB 44, digested in the Senate section of today's bulletin.] To Education.

HB 93 - Introduced by Speed and others
"Amending G.S. 105-446 in order to provide that applications for reimbursement of fuel tax shall be on a calendar year basis." [As title indicates, amends GS 105-446(1) to provide that applications for reimbursement on taxes paid on fuels not used on highways, covering taxes paid for period July 1, 1967 through Dec. 31, 1967, must be filed with Comm'r of Revenue on or before April 15, 1968; and thereafter on or before April 15 covering taxes paid during preceding calendar year. (Statute now prescribes annual filing deadline of September 30 and filing period of preceding fiscal year, that is, July 1-June 30.)] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 90 - (Gaston) Introduced by Stewart
"To make GS 160-181.2, relating to extraterritorial zoning jurisdiction, applicable to the town of Cherryville in Gaston County." [Makes cited section (granting authority to exercise one mile extraterritorial zoning jurisdiction to municipalities of 1,250 pop. or larger in certain counties) applicable to town of Cherryville. Statute now is not applicable to municipalities in Gaston County.] To Local Government.

HB 91 - (Halifax) Introduced by Gregory
"To levy a tax upon property in certain townships in Halifax County for the operation, maintenance and equipping of "Our Community Hospital, Incorporated," a nonprofit, charitable organization." [Authorizes board of county commissioners to order special election to determine will of voters of Scotland Neck, Palmyra, Roseneath and Conoconara Townships on levy of special annual tax for 4-year period Jan. 1, 1967 to Jan. 1, 1971. Election and tax subject to limitations (15¢ on each $100 valuation) and provisions (manner of election, collection of tax and expenditure of funds) of SL 1963, Ch. 225, as amended by SL 1963, Ch. 432. (Present authority to levy such tax expired Jan. 1, 1967).] To Finance.

HB 94 - (Gaston) Introduced by Bumgardner
"To authorize the City of Belmont to enter certain contracts without complying with the provisions of Article 8 of Chapter 143 of the General Statutes." [Authorizes City Board of Comm'rs of Belmont to enter into construction contracts with National School of Heavy Equipment Operation, Inc. for site preparation work at waste disposal or waste treatment plant site without advertisement or compliance with other provisions of Art. 8, Ch. 143 (pertains to requirements for public building contracts, including competitive bidding).] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 12 - Sanitary district dissolution. Received from Senate; sent to Health.

HB 41 - Technical amendments. Reported favorably.
HB 42 - General Statutes Commission. Reported favorably.
HB 62 - Liberalizing adoption process. Reported favorably.
HB 75 - Law-Order Committee. Reported favorably.

LOCAL BILLS

Note: [Only amendments, committee substitutes, committees to which referred and final action are reported.]

None

The unnumbered House Resolution (1967 House Rules) digested in Bulletin No. 9 was amended on the floor of the House and adopted as amended. The floor amendment adds provision that any printed material placed on a members' desks must bear the name of the originator.

BILLS RATIFIED

SR 11 - (Joint Resolution) Seaboard invitation. (R 7)
SR 15 - (Joint Resolution) Beaufort invitation. (R 8)
SR 32 - (Joint Resolution) Memorializing Richardson. (R 9)

HR 26 - (Joint Resolution) Memorializing Woodard. (R 4)
HR 56 - (Joint Resolution) Memorializing Hawfield.(R 5)
HR 61 - (Joint Resolution) Memorializing Dawson.(R 6)

Next session of House: 12 noon, Wednesday, February 22, 1967.

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BULLETIN NO. 11
Wednesday, February 22, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 48 - Introduced by Whitehurst
"To amend GS 147-12, relating to powers and duties of the Governor, so as to grant such powers as may be necessary to secure for the State benefits under National Highway Safety Act of 1966." [Adds to GS 147-12 provision that Governor is empowered to enter into agreements with Federal Government, to coordinate agencies and subdivisions of State government, and to cooperate with private and public organizations and individuals to secure full benefits available under Federal Highway Safety Act of 1966 and to effectuate that act and any subsequent amendments thereto. Iden. with HB 102.] To Highway Safety.

SB 49 - Introduced by Buchanan
"To reduce the tax on intangibles collected by the State and to create an equalization fund to be distributed to the counties and municipalities of the State." [Reduces intangibles taxes on various items as follows: from 10 ¢ to 1¢ per $100 for money on deposit with business having taxable situs in State (G.S. 105-199); from 10¢ to 5¢ per $100 money on deposit with insurance companies (G.S. 105-205); from 25¢ to 12.5¢ per $100 for money on hand on December 31 (G.S. 105-200), for accounts receivable on Dec. 31st or last day of fiscal year of taxpayer (G.S. 105-201), for bonds notes and other evidences of debt (G.S. 105-202), for shares of stock (G.S. 105-203), and for beneficial or equitable interest in foreign trusts (G.S. 105-204). Appropriates from General Fund for year beginning July 1, 1968 and for following fiscal year $8,500,000 to be paid into compensating equalization fund to be distributed to counties and municipalities of State on basis set out in G.S. 105-213 (providing for distribution of taxes collected). Appropriation to be continued by successive General Assemblies until replaced by increased intangibles tax revenues under reduced rates. Effective December 31, 1967.] To Finance.

SB 50 - Introduced by White of Lenoir
"To amend Chapter 7 of the General Statutes, so as to increase the salaries of the Chief Justice and Associate Justices of the Supreme Court of North Carolina, and the salaries of the judges of superior court." [Rewrites GS 7-3 to increase salary of Chief Justice to $28,000 and Associate Justices to $27,000 (now $24,000 and $23,000) yearly. Changes GS 7-42 to increase salaries of superior court judges to $20,000 (now $18,500). Effective July 1, 1967. Identical with HB 100.] To Appropriations.

SB 51 - Introduced by Brumby
"To make an appropriation of $25,000 for a year for each year of the ensuing biennium for the support of Brevard Music Center." [As title indicates; appropriation from General Fund. Effective July 1, 1967.] To Appropriations.

SR 54 - (Joint Resolution) Introduced by Nielson and others
"Creating a civil service study commission to study and prepare legislation relating to a civil service system for state employees." [Creates 5-member Civil Service Study Commission with membership appointed as follows: Two by President of Senate from Senate membership, one of his own choosing and one recommended by minority leader; two by Speaker of House, from House membership, one of his own choosing and one recommended by minority leader; one by Governor, who may or may not be member of General Assembly. First Commission meeting to be at time and place designated by Senate President. Chairman to be member of, and elected by, Commission. Commission to study laws and procedures in other states relating to civil service systems and to prepare proposed legislation designed to provide an effective civil service system for state employees. Commission authorized to employ clerical help and other assistance necessary. Members entitled to $7 per diem for each day spent in conduct of Commission business plus actual expenses for travel and subsistence as allowed members of other State boards and Commissions, to be paid with approval of Governor out of Contingency and Emergency Fund. Commission to report findings and recommendations to Governor and 1969 General Assembly not later than Feb. 5, 1969.] To State Government.

LOCAL BILLS INTRODUCED -- SENATE

SB 52 - (Swain) Introduced by Brumby
"To appoint the members of the Board of Education of Swain County." [Appoints five named incumbent members of county board of education(C.C.Wright, James L. Coggins, Mrs. James Biggs, Paul Marr, Marshall Smith) to two-year terms commencing on first Monday in April, 1967 and ending on first Monday in April, 1969.] To Local Government.

SB 53 - (Bladen) Introduced by Green
"To amend G.S. 9-5 to fix the compensation of jurors in the Superior Court of Bladen County." [Adds provision to cited section setting Bladen County Superior Court jury duty fee at $10.00 per day (now $6.00).] To Salaries and Fees.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 8 - Service retirement pay. Reported without prejudice; re-referred to Finance.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 7 - (Onslow) Jacksonville elections. Passed.
SB 16 - (Cherokee) Commissioner vacancies. Passed.
SB 26 - (Onslow) Law Library. Passed.

HB 54 - (Moore) School election postponement. Passed.

Next session of Senate: 12 noon, Thursday, Feb. 23, 1967.

BULLETIN NO. 11
Wednesday, February 22, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 95 - Introduced by Britt of Johnston

"To permit advance filing of corporate documents." [Amends GS 55-4(b) and 55A-4(b) to provide that corporate documents of business and non-profit corporations, respectively, which are required by law to be filed with Secretary of State shall be completely effective when endorsed by Secretary of State (now, when filed by Secretary) or that, in lieu of endorsement, document may fix date and hour not more than 20 days subsequent to endorsement for transaction to be deemed consummated. Amends GS 55-8 and 55A-8 to provide that time when corporate existence begins is determined by provisions of GS 55-4 and 55A-4, for business and non-profit corporations, respectively (now, begins upon filing of articles of incorporation in office of Secretary).] To Judiciary 2.

HB 96 - Introduced by Britt of Johnston

"To amend G.S. 38-4 relating to surveys in disputed boundaries." [Rewrites cited section (authorizing superior court judge to order survey when boundaries of land are in dispute) as follows: Provides that survey shall be made by one surveyor appointed by court unless court decides that additional surveyors are necessary (now: court to appoint two surveyors with one named by each of the parties, or one surveyor if parties agree). Adds provision that court, upon request of either party, shall call the surveyor as court's witness; that all parties may directly examine, cross examine and impeach the surveyor; that surveyor's being called by court shall not change weight, effect or admissibility of testimony; and that upon request of any party the court shall so instruct the jury. Adds provision authorizing court to require parties to make deposit to secure payment of fees and to require payment of the fees prior to termination of suit. Effective Oct. 1, 1967.] To Judiciary 2.

HB 97 - Introduced by Britt of Johnston

"To amend Chapter 36 of the General Statutes to provide for renunciation by testamentary trustees." [Adds GS 18-18.2, permitting any person or corporation named as trustee in any will admitted to probate in NC (or any substitute trustee) to renounce such trusteeship prior to qualifying, by filing renunciation in writing with clerk of superior court of county in which will is admitted to probate. Clerk to give written notice to all persons interested in will and to identify proceeding and apprise person notified of nature of action to be taken; notice to be served in same manner as provided in civil actions or by mailing to person at last known address, and to be completed not less than 10 days prior to date hearing is held or action is taken. If will names substitute trustee in case of renunciation it shall be complied with; substitute to be named by CSC and to succeed to trusteeship upon date of order of appointment unless will otherwise provides. If will does not name trustee and one should be appointed, clerk to certify copy of will and renunciation to judge holding next session of superior court or, to judge assigned to or holding superior courts in district or regular or special superior court judge residing in district, if so moved by interested party on notice to other interested parties. Judge to appoint suitable trustee, but if will prescribes type or method of selecting trustee without designating him, judge to comply with will's provisions unless result will be selection of unfit trustee; substitute so appointed succeeds to office upon date of order of appointment unless will otherwise provides. Substitute trustee to have such powers and duties and be vested with title to property included in trust, unless will otherwise provides. CSC to docket, record, and index all proceedings in same manner as special proceedings, and to enter with

recorded will notation that trustee has renounced and give reference to book and page number, file or other place where record may be found. Effective Oct. 1, 1967.] To Judiciary 2.

HB 98 - Introduced by Britt of Johnston

"To amend the law relating to the revocation of a will by the subsequent marriage of the maker." [Rewrites GS 31-5.3 to provide that a will is not revoked by subsequent marriage of maker, and that surviving spouse of maker may dissent from will made prior to marriage in same manner, to same extent and upon same conditions as surviving spouse may dissent from a will made after marriage. (Present law provides that wills are revoked by subsequent marriage of maker except in cases where will expressly states that it is in contemplation of marriage to a person named in will and in cases of wills made in exercise of power of appointment.) Effective Oct. 1, 1967 and applicable only to wills of persons dying on or after that date.] To Judiciary 2.

HB 100 - Introduced by Greenwood

"To amend Chapter 7 of the General Statutes, so as to increase the salaries of the Chief Justice and Associate Justices of the Supreme Court of North Carolina, and the salaries of the Judges of Superior Court." [Identical with SB 50, digested in the Senate section of today's bulletin.] To Appropriations.

HB 102 - Introduced by Gregory

"To amend GS 147-12, relating to powers and duties of the Governor, so as to grant such powers as may be necessary to secure for the State benefits under National Highway Safety Act of 1966." [Identical with SB 48, digested in the Senate section of today's bulletin.] To Highway Safety.

LOCAL BILLS INTRODUCED -- HOUSE

HB 99 - (Guilford) Introduced by Exum, Bowles, Edwards, Phillips, Short and Whitley

"To amend Chapter 971 of the Session Laws of 1955, as amended, so as to fix the salaries of the judges of the Municipal-County Court of Greensboro." [Amends Section 2(g) of SL 1955, Ch. 971 as amended by Section 4 of SL 1965, Ch. 683, to raise minimum salary of senior judge of municipal-county court from $13,000 to $15,500 and salaries of other judges from $12,000 to $15,000. Effective retroactively to January 1, 1967.] To Courts and Judicial Districts.

HB 101 - (Pasquotank) Introduced by Culpepper

"To amend Chapter 158, Session Laws of 1963, relating to the Charter of the City of Elizabeth City relating to delinquent taxes." [Adds to city charter a provision that all proceeds from taxes two or more years delinquent may be paid into city general fund.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 12 - Sanitary district dissolution. Reported favorably.
SB 29 - Reflectorized vehicle plates. Received from Senate; sent to Highway Safety.

HB 41 - Technical amendments. Postponed to Feb. 23.
HB 42 - General Statutes Commission. Passed second and third readings.
HB 62 - Liberalizing adoption process. Floor amendment adopted to make act effective upon ratification. Passed second and third readings.
HB 75 - Law-Order Committee. Passed second and third readings.

LOCAL BILLS

Note: [Only amendments, committee substitutes, committees to which referred and final action are reported.]

HB 14 - (Buncombe) Tax listing. Passed.
HB 16 - (Beaufort) Chocowinity zoning. Passed.
HB 29 - (Beaufort) Plumbing inspector. Passed.
HB 31 - (Union) Worthless checks. Passed.
HB 40 - (Harnett) Erwin incorporation. Passed.
HB 70 - (Chowan) Edenton fire house. Passed.
HB 83 - (Orange) Recreation districts. Floor amendment adopted deleting requirement that election be solely on issue of creating district and levy of annual tax. Passed.
HB 84 - (Orange) Chapel Hill legislative body. Passed.
HB 88 - (Nash, Chatham, Orange) Abandoning domestic animals. Floor amendment adopted making act applicable to Chatham and Orange counties. Passed.

Next session of House: 12 noon, Thursday, February 23, 1967.

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BULLETIN NO. 12

Thursday, February 23, 1967

Session: Senate -- 12 noon

SR 56 - (Joint Resolution) Introduced by Briggs
"Requesting the Governor of North Carolina, the North Carolina State Highway Commission, the Governing Body of the Municipality of Asheville, North Carolina, the Governing Body of the Municipality of Black Mountain, North Carolina, and the Governing Body of the County of Buncombe, North Carolina to cooperate in eliminating the traffic flow bottleneck on Highway 70 between Asheville, North Carolina, and Black Mountain, North Carolina." [Identical with HB 104, digested in House section of today's bulletin.] To Public Roads.

SR 57 - (Joint Resolution) Introduced by Briggs
"Requesting the President of the United States, the Congress of the United States, the members of the United States Congress from the State of North Carolina, and the Secretary of Transportation to disburse or to appropriate and disburse those funds necessary for completing construction, without further delay, of the Federal Interstate Highway System in North Carolina."[Identical with HB 103 digested in House section of today's bulletin.] To Public Roads.

LOCAL BILLS INTRODUCED -- SENATE

SB 55 - (Edgecombe) Introduced by Bridgers
"To amend the Charter of the Town of Tarboro to redefine the wards thereof." [As title indicates. Repeals SL 1955, Ch. 468, Sec. 3 (defines eight wards of town) and enacts new section which divides town into eight wards redefined by metes and bounds.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 42 - General Statutes Commission. Received from House; sent to State Government.
HB 62 - Liberalizing adoption process, as amended in House 2/22. Received from House; sent to Public Welfare.
HB 75 - Law-Order Committee. Received from House; sent to State Government.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committee to which referred and final action are reported.]

SB 24 - (Union) Trash regulation. Passed

HB 14 - (Buncombe) Tax listing. Received from House; sent to Local Government.
HB 16 - (Beaufort) Chocowinity zoning. Received from House; sent to Local Government.
HB 24 - (Pamlico) Pistol permits. Passed.
HB 29 - (Beaufort) Plumbing inspector. Received from House; sent to Local Government.
HB 31 - (Union) Worthless checks. Received from House; sent to Local Government.

HB 40 - (Harnett) Erwin incorporation. Received from House; placed on calendar for 2/24.
HB 70 - (Chowan) Edenton fire house. Received from House; sent to Local Government.
HB 83 - (Orange) Chapel Hill recreation districts, as amended in House 2/22. Received from House; sent to Local Government.
HB 84 - (Orange) Chapel Hill legislative body. Received from House; sent to Local Government.
HB 88 - (Nash, Chatham, Orange) Abandoning domestic animals, as amended in House 2/22. Received from House; sent to Local Government.

Next session of Senate 10:00 a.m., Friday, February 24, 1967.

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BULLETIN NO. 12
Thursday, February 23, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 103 - (Joint Resolution) Introduced by Hutchins
"Requesting the President of the United States, the Congress of the United States, the members of the United States Congress from the State of North Carolina, and the Secretary of Transportation to disburse or to appropriate and disburse those funds necessary for completing construction, without further delay, of the Federal Interstate Highway System in North Carolina." [As title indicates, requests release of funds, particularly those necessary for completion of link in Interstate 40 between Black Mountain and Asheville. Secretary of State to send copies to designated officials and Governor urged to act in support of resolution. Identical with SR 57.] To Rules.

HR 104 - (Joint Resolution) Introduced by Hutchins
"Requesting the Governor of North Carolina, the North Carolina State Highway Commission, the governing body of the municipality of Asheville, North Carolina, the governing body of the municipality of Black Mountain, North Carolina, and the governing body of the County of Buncombe, North Carolina, to cooperate in eliminating the traffic flow bottleneck on highway 70 between Asheville, North Carolina, and Black Mountain, North Carolina." [As title indicates; Secretary of State to send copies to Governor and named organizations. Identical with SR 56.] To Rules.

HB 105 - Introduced by Taylor of Carteret
"To provide for the registration of right of way plans for State Highway Commission projects." [Adds new GS 136-19.4 providing as follows: Requires State Highway Commission Secretary to certify to register of deeds of counties where land located copies of cover sheet and plan and profile sheets of final right of way plans where interest in real property is acquired or access is controlled. Secretary to certify copies within two weeks from formal approval by SHC. Copies to consist of Xerox, photographic, or other permanent copy measuring approximately 20 inches by 12 inches with not less than 1-1/2 inches binding space on lefthand side. Requires register to record plans in book kept for that purpose and to cross-index plans by number of affected road and project number; probate not required. Provides that if SHC amends plans, SHC Secretary to certify copies of same to register and register to remove original and record the amended plan. Sets registers' fee at $.50 for indexing each project and $.50 for recording each original or amended plan. Exempts these right of way plans from mapping requirements for plats and subdivisions set out in GS 47-30. Provides that the fees of registers set out in GS 161-10 and 10.1 (or local modifications thereof) shall not apply to registration of these right-of-way plans. Effective July 1, 1967.] To Roads.

LOCAL BILLS INTRODUCED -- HOUSE

HB 106 - (Wake) Introduced by Bunn, Johnson, McMillan, and Twiggs
"To amend Section 22 of the charter of the City of Raleigh (Chapter 1184 of the Session Laws of North Carolina, 1949, as amended) by adding at the end thereof subsection (66) relating to rewards." [Amends Raleigh Charter to authorize city council to offer and pay rewards not over $500 for information leading to arrest and conviction of persons who willfully deface, damage or destroy property, take property belonging to or controlled by city, or willfully injure or take life of employee or officer of city while engaged in performance of official duties. Council to fix terms and

amounts of rewards, be sole judge as to recipients and sole authority for ordering rewards, such rewards to be paid out of non-tax revenues.] To Cities, Counties and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 12 - Sanitary district dissolution, as amended in Senate 2/20. Postponed to Feb. 24.
SB 29 - Reflectorized vehicle plates. Reported favorably.

HB 35 - Motor vehicle point system. Reported favorably as to committee substitute.
HB 41 - Technical amendments. Passed second and third readings.
HB 46 - Officers of Assembly pay. Reported favorably.
HB 55 - Historic Murfreesboro Commission. Reported favorably.
HB 58 - Reflectorized vehicle plates. Reported favorably.
HB 95 - Corporate documents filing. Reported favorably.
HB 96 - Disputed boundary surveys. Reported favorably.

LOCAL BILLS

Note: [Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 7 - (Onslow) Jacksonville elections. Received from Senate; sent to Local Government.
SB 16 - (Cherokee) Commissioner vacancies. Received from Senate; sent to Local Government.
SB 26 - (Onslow) Law library. Received from Senate; sent to Courts and Judicial Districts.

HB 10 - (Columbus) Lake Waccamaw charter. Passed.
HB 19 - (Pamlico) Grand jurors. Passed.
HB 21 - (Gaston) Mount Holly zoning. Passed.
HB 28 - (Rutherford) Jury trials. Passed.
HB 40 - (Harnett) Erwin incorporation. Passed.
HB 72 - (Bertie) Aulander Comm'rs increase. Amended to provide that increased salaries of mayor and comm'rs not to be effective until July 1, 1967. Passed.
HB 73 - (Bertie) Aulander beer limit lifted. Passed.
HB 90 - (Gaston) Cherryville extra zoning. Passed.
HB 94 - (Gaston) Belmont contract exemption. Passed.

BILLS RATIFIED

SR 22 - (Joint Resolution) Charlotte invitation.[R 10]

HB 54 - (Moore) School election postponement.[Ch. 2]

Next session of House: 10:00 a.m., Friday, February 24, 1967.

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DAILY BULLETIN

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BULLETIN NO. 13

Friday, February 24, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 58 - (Joint Resolution) Introduced by Boger
"Honoring the North Carolina Army and Air National Guard and recognizing their past and present contributions to the welfare of North Carolina and the Nation." [As title indicates.] Passed three readings and sent to House.

SB 59 - Introduced by Burney and Simmons
"Appropriating funds for Fort Fisher State Historic Site." [Appropriates $15,500 to Dept. Archives and History for construction of custodian's residence at Fort Fisher State Historic Site.] To Appropriations.

SB 60 - Introduced by Currie
"To divide North Carolina into Congressional Districts." [Rewrites GS 163-103 (establishes US Congressional Districts) to redistrict for purpose of nominating and electing NC Representatives to US Congress in 1968 and every two years thereafter. Provides for one Representative from each of 11 districts as follow:

District 1: Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Edgecombe, Gates, Halifax, Hertford, Hyde, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington.
District 2: Franklin, Greene, Johnston, Nash, Wake, Warren, Wilson.
District 3: Carteret, Craven, Duplin, Jones, Lenoir, Onslow, Pender, Sampson, Wayne.
District 4: Caswell, Chatham, Durham, Granville, Harnett, Lee, Moore, Orange, Person, Vance.
District 5: Bladen, Brunswick, Columbus, Cumberland, Hoke, New Hanover, Robeson.
District 6: Alamance, Guilford, Rockingham.
District 7: Davidson, Forsyth, Montgomery, Randolph, Stanly, Stokes.
District 8: Anson, Mecklenburg, Richmond, Scotland, Union.
District 9: Alexander, Alleghany, Cabarrus, Caldwell, Davie, Iredell, Rowan, Surry, Wilkes, Yadkin.
District 10: Burke, Catawba, Cleveland, Gaston, Lincoln, Polk, Rutherford.
District 11: Ashe, Avery, Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, Watauga, Yancey.

Present law (GS 163-103 as amended 1966) to remain in force until Jan. 1969, to govern filling of any vacancy occurring in term of office which ends in Jan., 1969.] To Congressional Redistricting.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 41 - Technical amendments. Received from House; sent to Judiciary 1.
SR 58 - (Joint Resolution) Honoring National Guard. Passed three readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

HB 10 - (Columbus) Lake Waccamaw charter. Received from House; sent to Counties, Cities and Towns.
HB 19 - (Pamlico) Grand jurors. Received from House; sent to Courts and Judicial Districts.
HB 21 - (Gaston) Mount Holly zoning. Received from House; sent to Counties, Cities and Towns.
HB 28 - (Rutherford) Jury trial. Received from House; sent to Courts and Judicial Districts.
HB 72 - (Bertie) Aulander Comm'rs increased, as amended in House 2/23. Received from House; sent to Counties, Cities and Towns.
HB 73 - (Bertie) Aulander beer limit lifted. Received from House; sent to Counties, Cities and Towns.
HB 90 - (Gaston) Cherryville extra zoning. Received from House; sent to Counties, Cities and Towns.
HB 94 - (Gaston) Belmont contract exemption. Received from House; sent to Counties, Cities and Towns.

The Senate confirmed the appointment by the Governor of the following named individuals:

Board of Directors of the North Carolina Sanatorium for the Treatment of Tuberculosis: Albert E. Gibson, Sr., Dr. Charles O. Van Gorder, Forrest Lockey, Dr. Malory A. Pittman. Term of all of above 9/16/65 - 4/29/71.

State Stream Sanitation Committee: Mrs. Karl Bishopric, W. Grady Stevens. Term of all above 9/16/65 - 7/11/71.

Board of Trustees of the Teachers' and State Employees' Retirement System: Elvin Overton Falknor, 8/12/65 - 4/5/69.

Commissioner of Banks: Frank Lee Harrelson, 8/1/66 - 4/1/67.

Atlantic States Marine Fisheries Commission: Walton Sidney Griggs, 1/19/66-6/20/69.

State Board of Agriculture: Richard N. Barber Jr., 12/17/65 -5/4/69; Charles F. Phillips, 7/12/65 -5/4/71; George Kittrell, 7/9/65 -5/4/71; Henry Gray Shelton, 7/12/65 -5/4/71.

Board of Directors of Governor Morehead School: George Patrick Henderson, Ernest Lindwood Hollowell, William Paul Morgan, Harry Shor, Cecil J. Hill, Haden Edward Knox, Walter Overton Shue, S. Linton Smith, Claude Edward Teague, Mrs. Alice Edmondson Wilson, Carroll Wayland Weathers. Term of all of above 9/24/65-5/1/69.

Next sessions of Senate: 9:00 a.m., Saturday, February 25, 1967 for consideration of local bills only;
8:00 p.m., Monday, February 27, 1967.

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BULLETIN NO. 13
Friday, February 24, 1967

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 111 - Introduced by Ragsdale and others
"Repealing G.S. 113-202 relating to the granting of oyster and clam leases." [As title indicates. (Cited section terminates existing oyster and clam leases, subject to renewal, and spells out detailed provisions for leases to residents of public bottoms underlying coastal waters.)] To Commercial Fisheries and Oyster Industry.

HB 113 - Introduced by Ervin
"To authorize prosecuting officers to seek a verdict requiring imprisonment for life as punishment, in cases of murder in the first degree, burglary in the first degree, arson, or rape." [Adds GS 15-162.2 to permit prosecuting officer, with approval of court, to announce he does not seek a verdict for which punishment would be death when a person is charged with murder in first degree, burglary in first degree, arson, or rape. Court minutes to reflect prosecutor's announcement and to be signed by prosecuting officer and presiding judge, and trial to proceed as a felony not capital with peremptory challenges of jurors for State (6 in capital cases; 4 in all other criminal cases) and for defendant (14 in capital cases; 6 in all other criminal cases) to be as in non-capital felonies. If defendant is convicted of felony charged, punishment to be imprisonment for life.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 107 - (Robeson) Introduced by McMillan and McFadyen
"To amend the Charter of the Town of Red Springs, being Chapter 1252 of the Session Laws of 1949, to authorize payment of delinquent taxes into the general fund." [Adds provision to cited charter authorizing board of commissioners to direct payment into general fund of all or part of taxes which when collected are three or more years delinquent.] To Local Government.

HB 108 - (Guilford) Introduced by Bowles, Edwards, Exum, Phillips, Short and Whitley
"Amending Chapter 176 of the Session Laws of 1955, authorizing the County Commissioners of Guilford County to assist in furnishing fire protection to communities outside of cities and towns of said county." [Amends cited chapter to raise from $40,000 to $100,000 amount commissioners may spend in assisting communities outside of cities and towns in furnishing fire protection. Monetary restriction stated in act applies to revenues from tax and non-tax revenues plus amounts due to county from outstanding loans for rural fire protection. (Now, monetary restriction applies to revenues from ad valorem taxes and amounts of outstanding loans for rural fire protection.)] To Counties, Cities and Towns.

HB 109-(Davidson) Introduced by Hege and Whicker
"To authorize the city of Lexington to release any interest it may have in certain lands for the purpose of permitting the Dixie Furniture Company, Incorporated, to cross a part of South Salisbury Street for private purposes." [As title indicates, authorizes city to permit Dixie Furniture Co. to construct tramway or catwalk of not less than 18 feet over South Salisbury Street; to be constructed according to city and state building codes.] To Local Government.

HB 110 - (Rowan) Introduced by Troxell
"Providing for the election of the mayor and members of the board of aldermen of the Town of Rockwell, providing for primary election." [Provides for nomination and election each two years of five aldermen (now 6) and mayor (now elected by aldermen from their own membership along with mayor pro tempore) beginning with 1967 elections. Both aldermen and mayor to serve two-year terms, to run from July 1 after election until successors are elected and qualified. Primary election to be held on second Saturday preceding general municipal elections; two candidates receiving highest votes for mayor and ten candidates receiving highest votes for aldermen to be nominees at general election; but if there is only one candidate for mayor he is nominee for mayor and if there are only ten or less candidates for aldermen, they are nominees for aldermen, such names to appear on general primary ballot without necessity of primary. Also prescribes procedures for filing of candidacy, registration periods and hours, challenge day, and for conduct of elections in other respects in accordance with GS 160, Art.3. and repeals 1959 SL, Ch.s 17 and 75 (present acts governing election of mayor and aldermen of Rockwell).] To Counties, Cities and Towns.

HB 112 - (Martin) Introduced by Everett
"To extend the corporate limits of the town of Jamesville in Martin County, North Carolina." [Amends SL 1945, Ch. 596 as title indicates. Describes additional territory by metes and bounds.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 12 - Sanitary district dissolution, as amended in Senate 2/20. Passed second and third readings.
SB 29 - Reflectorized vehicle plates. Passed second reading.
SR 58 - (Joint Resolution) Honoring National Guard. Received from Senate; passed second and third readings.

HB 35 - Motor vehicle point system. Committee substitute adopted making technical changes. Passed second and third readings.
HB 46 - Officers of Assembly pay. Passed second and third readings.
HB 55 - Historic Murfreesboro Commission. Passed second and third readings.
HB 95 - Corporate documents filing. Passed second and third readings.
HB 96 - Disputed boundary surveys. Postponed to March 1.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 7 - (Onslow) Jacksonville elections. Passed.
SB 17 - (Catawba) Conover boundaries. Passed.
SB 24 - (Union) Trash regulation. Received from Senate; sent to Local Government.

HB 48 - (Pasquotank) School board consolidation. Amended to provide that school debt service funds be deposited with County Treasurer in manner specified by General Statutes; that County Accountant countersign all checks, warrants and orders of board of education pursuant to GS 115-90; that monthly payroll be prepared pursuant to GS 115-50. Passed second reading.
HB 49 - (Chowan) School Board consolidation. Amended to provide that school debt service funds be deposited with County Treasurer in manner specified by General Statutes; that County Accountant countersign all checks, warrants, and orders of board of education pursuant to GS 115-90; that monthly payroll be prepared pursuant to GS 115-50; that the supplemental school tax

authorization become effective July 1 following the election. Passed second reading.

HB 57 - (Wake) Raleigh dedication powers. Passed.

Next sessions of House: 10:00 a.m., Saturday, February 25, 1967, for consideration of local bills only.
8:00 p.m., Monday, February 27, 1967.

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DAILY BULLETIN

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BULLETIN NO. 14
Monday, February 27, 1967

Note: The Senate convened at 9:00 a.m., Saturday, February 25, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 61 - Introduced by Henley
"To change the name of the North Carolina Board of Space and Technology." [Amends GS 143-374 through GS 143-383 (creating research center and board to enable North Carolina to benefit from advances in space and other technology) so that research center is referred to as "North Carolina Science and Technology Research Center" (now "North Carolina Space and Technology Center") and board is referred to as "North Carolina Board of Science and Technology" (now "North Carolina Board of Space and Technology").] To State Government.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 35 - Motor vehicle point system (House committee substitute 2/24). Received from House; sent to Highway Safety.
HB 46 - Officers of Assembly pay. Received from House; sent to Appropriations.
HB 55 - Historic Murfreesboro Commission. Received from House; sent to State Government.
HB 95 - Corporate documents filing. Received from House; sent to Judiciary 1.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 55 - (Edgecombe) Tarboro ward lines. Passed.

HB 57 - (Wake) Raleigh dedication powers. Passed.
HB 83 - (Orange) Recreation districts, as amended in House 2/22. Passed.
HB 84 - (Orange) Chapel Hill legislative body. Passed.
HB 88 - (Chatham, Guilford, Nash, Orange) Abandoning domestic animals, as amended in House 2/22. Floor amendment adopted making act applicable to Guilford county. Passed.

Next session of Senate: 12 noon, Tuesday, February 28, 1967.

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BULLETIN NO. 14
Monday, February 27, 1967

Note: The House convened at 10:00 a.m., Saturday, February 25, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 114 - (Joint Resolution) Introduced by Jemison
"Creating the Senior Citizens Study Commission." [Creates 7-member Senior Citizens Study Commission to report to Governor and 1969 General Assembly not later than Feb. 5, 1969 on needs and problems affecting citizens 65 and over. Study to consider such items as taxation, income, housing, medical care, recreation and employment. Membership to be as follows: two members appointed by Speaker (one from majority party and one from minority party nominated by minority leader); two members appointed by President (one from majority party and one from minority party nominated by minority leader); three members appointed by Governor (one from majority party and one from minority party nominated by minority party state chairman and two of whom must be 65 or older). Sets per deim of members at $7.00 and provides for payment of actual expenses incurred in official travel at rate for state commissions generally. Provides for payment of clerical help and printing of report from Contingency and Emergency Fund. Commission to be appointed within 30 days after ratification, and convened by Governor within 90 days after adjournment of 1967 General Assembly. Chairman to be elected at first meeting and thereafter meetings to be at call of chairman or three members. Four members constitute quorum, but no quorum exists unless all members have been notified at least ten days in advance of meeting.] To Judiciary 1.

HB 116 - Introduced by Pickard and Euliss
"To authorize law enforcement officers of one municipal corporation to be sent to another municipal corporation in case of emergency." [Adds new GS 160-20.2 authorizing municipal corporations (includes counties) upon request of another governing body, to send law enforcement officers to assist police or sheriff's department of requesting municipal corporation in cases of emergency. Record of request and sending and names of law enforcement officers to be recorded in minutes of respective governing bodies; sending of officers to be done in accordance with agreement between bodies, agreement to be in minutes of both bodies and to be signed by mayor or chairman of board of county commissioners. Agreement may provide for reimbursement of sending body for services rendered and other expenses; officers sent to have jurisdiction, authority, rights, privileges and immunities, including Workmen's Compensation coverage, they have in the sending municipal corporation and to have same authority to make arrests and execute criminal process as vested by law in officers of requesting municipal corporation.] To Judiciary 2.

HB 117 - Introduced by Ragsdale and others.
"Designating certain creeks and rivers in Jones, Carteret and Onslow counties as commercial fishing waters." [Amends GS 113-322 (designating streams as commercial fishing waters and thereby giving jurisdiction over the resources and fishes therein to the Department of Conservation and Development) by adding to the streams enumerated therein the following: French's Creek from its junction with New River to point one-half mile upstream therefrom; Wallace's Creek from its junction with New River upstream to River Road Bridge; Northeast Creek from junction with New River upstream to Highway 24 crossing; Southwest Creek and Hawe's Creek from junctions with New River upstream to point of their intersection; White Oak River from Stella Bridge to Grant's Creek.] To Wildlife Resources.

HB 118 - Introduced by Bailey and Hamrick
"Relating to communications between clergymen and communicants." [Amends GS 8-53.1 to make clergyman, ordained minister, priest, rabbi or accredited Christian Science practitioner of established church, incompetent to testify in action, suit, or proceeding on any information communicated to him in his professional capacity necessary for him to discharge functions of his office when person communicating information about himself or another is seeking spiritual counsel relative to the information imparted. (Statute now provides clergyman not required to disclose information that would "violate a sacred or moral trust" when communicant objects to testimony and provided presiding judge does not compel disclosure upon finding it necessary for proper administration of justice.)] To Judiciary 2.

HB 119 - Introduced by Mills of Anson
"To amend Article 10, Chapter 163 of the General Statutes so as to permit absentee voting in county and municipal bond elections." [Adds to GS 163-54 authorization for any qualified voter who may vote an absentee ballot in a state-wide general election to vote such a ballot in any county or municipal bond election. Absentee voting in such cases to be pursuant to provisions of GS Ch. 163, Article 10 (Absent Voters). Makes conforming change in GS 163-55.] To Elections and Election Laws.

HB 120 - Introduced by Mills of Anson
"To amend G.S. 160-417 and G.S. 160-2, relating to the duration of local revenue bonds and the duration of a municipal contract for a water supply." [Amends GS 160-417 by raising to forty years the maximum maturity period of municipal revenue bonds (now thirty-five years). Amends GS 160-2 by raising to forty years the maximum period for which municipal corporation authorized to make contracts for supply of water (now thirty years); remains thirty years for contracts for supply of light and other public commodities.)] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 115 - (Alamance) Introduced by Pickard
"To repeal Chapter 417 of the Public Laws of 1933, relating to the sale of beer and light wines in or near the Town of Elon College in Alamance County." [Repeals prohibition on sale of beer and light wines within radius of one and one half miles from Administration Building, known as Alamance Building, on campus of Elon College.] To Propositions and Grievances.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 29 - Reflectorized vehicle plates. Passed third reading.
HB 58 - Reflectorized vehicle plates. Postponed indefinitely.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 16 - (Cherokee) Commissioner vacancies. Passed.
HB 48 - (Pasquotank) School board consolidation as amended in House 2/24. Passed.
HB 49 - (Chowan) School board consolidation as amended in House 2/24. Passed.
HB 101 - (Pasquotank) Elizabeth City late taxes. Passed.

Next session of House: 12 noon, Tuesday, February 28, 1967.

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BULLETIN NO. 15

Tuesday, February 28, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 62 - Introduced by Henley

"To amend Chapter 136 of the General Statutes to require the State Highway Commission to mark all paved roads with center and pavement edge lines." [Adds new GS 136-30.1 requiring State Highway Commission immediately to mark all existing paved roads of State Highway System with center and pavement edge lines and to do same within 30 days after it has constructed, relocated or resurfaced a paved road, or paved an existing road. Required markings to be installed and maintained in accordance with U.S. Bureau of Public Roads Manual on Uniform Traffic Control Devices or subsequent revisions of manual approved by SHC. Provisions not to apply to system streets where curb and gutter installed. Effective July 1, 1967.] To Public Roads.

SB 63 - Introduced by Ellis

"To amend Chapter 48 of the General Statutes to add certain provisions relating to the adoption of an out-of-wedlock child by his putative father." [Amends GS 48-4 to provide that if putative father of child born out of wedlock or putative father and spouse are petitioners to adopt child, and if petition states that male petitioner is father or believed by petitioners to be father of the child, and that the child was born out of wedlock, then petitioners must reside in State or on federal territory therein at time petition filed (now, one year residence generally required). Amends GS 48-21(c) to provide that when petitioner for adoption is putative father or when the petition is stated in above specified manner then superior court may waive entering of interlocutory decree and probationary period and grant a final order of adoption. Amends GS 48-23(2) to provide that legal parental rights and duties of putative father shall not be affected by the entry of a final order of adoption of his own child. Effective July 1, 1967.] To Public Welfare.

SB 64 - Introduced by Whitehurst

"To allow a deduction in income tax for the benefit of substitute school teachers for the cost of courses to retain their certificates or to upgrade their certificates." [Amends GS 105-141 (defining gross income) by adding paragraph 8 1/2 to subsection (b) excluding from gross income expenditures for instruction necessary to maintain or upgrade certificates of substitute school teachers. Exempts such expenditures from taxation but requires it to be reported as may be prescribed by Commissioner of Revenue.] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 95 - Corporate documents filing. Reported favorably.
HR 121 - (Joint Resolution) Memorializing Worthington. Received from House; passed second and third readings.
HR 123 - (Joint Resolution) Honoring Owen Hoopsterettes. Received from House; passed second and third readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

HB 40 - (Harnett) Erwin incorporation. Passed.
HB 48 - (Pasquotank) School board consolidation, as amended in House 2/24. Received from House; sent to Education.
HB 49 - (Chowan) School board consolidation, as amended in House 2/24. Received from House; sent to Education.
HB 57 - (Wake) Raleigh dedication powers. Mistakenly reported as passed in the Senate section of Bulletin No. 14. Entry of that date should read: Received from House; sent to Counties, Cities and Towns.
HB 101 - (Pasquotank) Elizabeth City late taxes. Received from House; sent to Counties, Cities and Towns.

The Senate confirmed the appointment, during the term of Governor Sanford, of the following named individuals:

State Board of Agriculture: David Townsend, Jr., 12/30/64 - 5/4/67; Claude T. Hall, 7/18/63 - 5/4/69; J. Hawley Poole, 7/18/63 - 5/4/69.

Board of Directors of North Carolina Sanatorium for the Treatment of Tuberculosis: O. Arthur Kirkman, 7/17/63 - 4/29/69; Mrs. Roy Parker, Sr., 7/17/63 - 4/29/69; Mrs. Cecil L. Sanford, 8/19/64 - 4/29/69; J. L. McNeill, 7/17/63 - 4/29/69; A. E. Gibson, Sr., 2/6/64 - 4/29/65.

State Stream Sanitation Committee: J. Nelson Gibson, Jr., 8/19/63 - 7/11/69; P. Greer Johnson, 8/19/63 - 7/11/69; J. Vivian Whitfield, 8/19/63 - 7/11/69.

Board of Trustees of the Teachers' and State Employees' Retirement System: Dr. L. M. Massey, 5/15/64 - 4/5/68; Royal W. Sands, 5/15/64 - 4/5/68; George B. Cherry, 7/31/63 - 4/5/67; Withers Davis, 7/31/63 - 4/5/67; E. L. Phillips, 7/31/63 - 4/5/67.

Next session of Senate: 12 noon, Wednesday, March 1, 1967.

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BULLETIN NO. 15
Tuesday, February 28, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 121 - (Joint Resolution) Introduced by Forbes
"Honoring the memory of R.H. Worthington, a prominent citizen of Pitt County." [As title indicates.] Passed three readings and sent to Senate.

HR 122 - (Joint Resolution) Introduced by Twiggs and McMillan of Wake
"Creating a Zoological Garden Study Commission to study the feasibility of establishing a zoological garden in North Carolina." [As title indicates. Nine member Commission to serve without per deim or expense allowance and to file report with Governor and General Assembly as soon as possible after completion of study. Members appointed as follows: three appointed by Governor, one designated Chairman; three appointed by Lieutenant Governor; three appointed by Speaker of House. Chairman to designate time and place of first meeting.] To Rules.

HR 123 - (Joint Resolution) Introduced by Greenwood and Harkins
"Honoring the Charles D. Owen High School Girls' basketball team." [As title indicates.] Passed three readings and sent to Senate.

HB 124 - Introduced by Mohn
"To amend G.S. 20-179 to increase the penalty for driving while under the influence of intoxicating liquor or narcotic drugs." [Amends GS 20-179 to increase penalty for conviction of GS 20-138 (makes unlawful driving car by habitual user of narcotic drugs or any person under influence of intoxicating liquor or narcotic drugs) on first offense to $200 (now $100), on second offense to $400 (now $200), and on third or subsequent offense to $1,000 (now $500); all fines may be given in lieu of or in conjunction with imprisonment.] To Highway Safety.

HB 127 - Introduced by Andrews
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes in Chatham County." [Appropriates from General Fund of State $31,354 for period commencing on ratification of act and ending June 30, 1968 and $4,472 for period commencing July 1, 1968 and ending June 30, 1969 to Forestry Division of Dept. of Conservation and Development for forest fire control purposes in Chatham County and other counties if deemed necessary by State Forester.] To Appropriations.

HB 129 - Introduced by Taylor of Carteret
"To amend GS 50-8, so as to eliminate the requirement in action for divorce from bed and board, that the grounds for divorce have existed for six months." [As title indicates.] To Judiciary 2.

HB 132 - Introduced by Edwards and others
"To provide for the transportation of pupils residing within a municipality and assigned to public schools within the same municipalitty." [Requires State Board of Education to use funds appropriated by State for school transportation (and county or city school boards electing to provide transportation) to use funds to transport pupils who live within corporate limits of municipality wherein public school is located and to which they are enrolled or assigned as these boards now provide for pupils residing within county or administrative unit. Transportation provided for pupils who reside and attend school within

same municipality by county or city administrative unit electing to proceed under this act shall determine if franchised public carrier within municipality is able to provide such transportation; if available, board may contract for services subject to existing control of services and rates by governing body of municipality and NC Utilities Comm'n. Unless unadvisable, buses to be routed on State and municipality-managed roads so that they pass within one mile of residence of each pupil who lives 1 1/2 miles or more from school to which enrolled or assigned, without regard to whether pupil's residence and assigned school are located within corporate limits of same municipality. Repeals GS 115-186(b) (public school buses to be routed within one mile of pupil living 1 1/2 miles or more from school to which pupil be assigned if feasible), GS 115-186(e) (no requirement on State, county, or city to provide funds for transporting pupils living within corporate limits of city in which public school to which pupil is enrolled or assigned is located even if transportation is furnished to pupils who live outside limits of city), and GS 115-190.1 (school transportation not to be discontinued solely because corporate limits of municipality have been extended to include such area since February 6, 1957); remainder of Art. 22 (School Buses) of GS Ch. 115 to apply to school transportation of pupils residing within municipalities.] To Education.

HB 134 - Introduced by Mohn

"Permitting the taking of migratory salt-water fish, shrimp, clams, oysters, scallops and mussels without a license." [Provides that taking of aquatic life specified in title (migratory salt-water fish are shad, herring and mullet) is legal at any time for North Carolina resident without fishing license if: for use of taker or his guests; not more than 250 lbs. migratory salt-water fish, 5 bushels clams, 5 bushels oysters, 5 bushels scallops, 50 lbs. shrimp, 5 bushels mussels, in the aggregate, taken in one day; boat over 20 feet long not used in taking.] To Commercial Fisheries and Oyster Industry.

LOCAL BILLS INTRODUCED -- HOUSE

HB 125 - (Lee) Introduced by Love and Staton

"To amend Chapter 380 of the Private Laws of 1915, relating to terms of aldermen and the conduct of elections in the City of Sanford." [Rewrites sections 4 through 14 of cited act to provide as follows: Sec. 4 - Sanford governing body to consist of mayor and seven aldermen serving 4-year terms. Aldermen from each of seven wards and mayor elected on non-partisan and at large basis; Sec. 5 - Regular City elections held quadriennaly on second Saturday after first Monday in May, beginning in 1967; Sec. 6 - Voters in regular elections entitled to one vote for Mayor and one vote for each Alderman by ward. Candidate for Mayor receiving largest number of votes cast for office elected. Alderman candidates from each respective ward who receives largest number of votes cast for candidate within ward elected. Tie voting decided by lot by Lee County Board of Elections; Sec. 7- Mayor and Aldermen elected assume offices at next regular meeting of Board of Aldermen, in no case later than July 1, following election; Sec. 8 - Vacancies in office of Mayor or Aldermen to be filled by majority vote of remaining Board members. Alderman vacancies to be filled so to retain one Alderman from each ward. Removal of Alderman from ward from which elected constitutes vacancy in that office; Sec. 9 - Lee County Board of Elections to conduct all Sanford elections under laws, rules and regulations governing general elections in County except as may be otherwise provided. Sanford authorized to reimburse County for actual costs of conducting elections for City; Sec. 10 - Lee County registration books to be used for all City elections and all Sanford registrants entitled to vote in all City Elections. Board of Elections to conduct complete new registration of Sanford voters prior to 1967 regular City election. New registration to be conducted at Lee County Courthouse beginning Monday, April 3, 1967 and ending Saturday, April 29, 1967. Board of Elections to determine daily hours of registration, but no registration to be conducted on Sundays. Board to publish notice of new registration in newspaper having general

circulation in Sanford at least once in each of two weeks immediately preceding opening of registration. Board of Elections may appoint as many qualified registrars as necessary and Sanford to reimburse County for cost of new registration. Existing Sanford registration books and poll books to be impounded by City Clerk and no longer used in City elections; Sec. 11 - County Board of Elections, insofar as practicable, to establish and maintain voting precincts within City so that no precinct boundary crosses boundary of any City ward. No requirement that separate voting precinct be established for, or within boundaries of, each City ward; Sec. 12 - Office labels used in voting machines in regular City elections to be printed so that names of candidates for Aldermen are separated according to wards in which they reside, and to carry instruction relating to one vote per Aldermen per ward. No absentee balloting permitted in City elections; Sec. 13 - Qualified Candidates for offices of mayor or alderman required to file statement of candidacy (form given) and $15 fee with County Board of Elections not earlier than 9th nor later than 5th Monday preceding election. Filing fees to be paid over to City; Sec. 14 - Sanford specifically excluded from application of GS 160, Art. 3 (regulation of city and town elections). Repeals following Acts: Ch. 213, Private Laws of 1935; Ch. 411, Public-Local Laws of 1939; Ch. 118, Public-Local Laws of 1941. Repeals portions of following Acts: Ch. 95, Private Laws of 1931; Ch. 323, Public-Local Laws of 1939.] To Local Government.

HB 126 - (Lee) Introduced by Staton and Love

"Relating to mileage allowance for Lee County employees." [Amends GS 147-8 (providing maximum mileage allowance) and GS 147-9 (prohibiting payment of mileage over maximum) as applying to Lee County by raising that maximum to 10¢ per mile (now 7¢).] To Local Government.

HB 128 - (Caldwell) Introduced by Kincaid

"To make Chapter 152A of the General Statutes, providing for a County Medical Examiner, applicable to Caldwell County." [Amends GS 152A-12 by adding Caldwell County to list of counties authorized to appoint a county medical examiner.] To Health.

HB 130 - (Carteret) Introduced by Taylor of Carteret, Sugg and Godwin of Craven

"Authorizing the Board of County Commissioners of Carteret County to prohibit and regulate surfing on the waters of the Atlantic Ocean adjoining said County." [Authorizes board of comm'rs of Carteret County to adopt comprehensive zoning ordinance regulating and prohibiting surfing on waters of Atlantic Ocean adjoining county, provided ordinance shall not apply to waters of Ocean lying within corporate limits of any municipality in County.] To Judiciary 2.

HB 131 - (Carteret) Introduced by Taylor of Carteret, Sugg and Godwin of Craven

"To amend GS 47-17.1, so as to require documents and papers to be probated and recorded to designate the draftsmen thereof in Carteret County." [As title indicates. Adds Carteret to list of counties covered by cited section.] To Judiciary 2.

HB 133 - (Columbus) Introduced by Collier and Williamson

"To authorize the Town of Whiteville to convey certain land to the State of North Carolina." [As title indicates, authorizes Whiteville to convey by private sale tract of land described by metes and bounds in Columbus County to State of NC without complying with GS 160-59 (sets out procedure for public sale of property.) Makes GS 160-61.1(a) and (b) which authorize governing bodies of municipal corporations to execute deeds with full covenants of warranty without risk of personal or individual liability applicable to this conveyance.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 69 - Counsel fees in receiverships. Reported favorably.
HR 121 - (Joint Resolution) Memorializing Worthington. Passed three readings.
HR 123 - (Joint Resolution) Honoring Owen Hoopsterettes. Passed three readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

SB 55 - (Edgecombe) Tarboro ward lines. Received from Senate; sent to Counties, Cities and Towns.
HB 88 - (Nash, Chatham, Orange, Guilford) Abandoning domestic animals, as amended in House 2/22 and in Senate 2/27. Received for concurrence in Senate amendment; concurred.

BILLS RATIFIED

SB 7 - (Onslow) Jacksonville elections. [Ch. 3]
SB 12 - Sanitary district dissolution, as amended in Senate 2/20. [Ch. 4]
SB 16 - (Cherokee) Commissioner vacancies. [Ch. 7]
SB 17 - (Catawba) Conover boundaries. [Ch. 5]
SB 29 - Reflectorized vehicle plates. [Ch. 8]
SR 58 - (Joint Resolution) Honoring National Guard. [R. 11]

HB 24 - (Pamlico) Pistol permits. [Ch. 6]
HB 83 - (Orange) Recreation districts, as amended in House 2/22. [Ch. 9]
HB 84 - (Orange) Chapel Hill legislative body. [Ch. 10]

Next session of House: 12 noon, Wednesday, March 1, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 16

Wednesday, March 1, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 65 - Introduced by Kemp and others
"To amend Subchapter IX of Chapter 115 of the General Statutes of North Carolina to provide for the transportation of pupils residing within a municipality assigned to public schools within the same municipality and to provide for an appropriation therefor." [Adds GS 115-181.1 requiring State Board of Education and local administrative units providing school transportation to assume same duty of transportation towards pupils living within corporate limits of municipality as towards all other pupils residing within unit. Amends GS 115-186(b) to require that public school buses routed on State and municipally maintained streets and roads stop within one mile of residence of each pupil living 1-1/2 miles or more from assigned school "without regard to whether or not such pupil's residence and assigned school are located within the corporate limits of the same municipality" (adds quoted words). Deletes GS 115-186(e) (denying state or local obligation to fund transportation of pupil living in town in which his school is located), and GS 150-190.1 (calling for continued pupil transportation for those in areas annexed to municipality). Appropriates $707,577 for fiscal '67-'68 and $735,878 for fiscal '68--'69 to provide school transportation under this act. Effective July 1, 1967.] To Appropriations.

SR 66 - (Joint Resolution) Introduced by Scott
"Honoring the life and memory of Private First Class Hiram (Butch) Strickland of Alamance County." [As title indicates.] Passed three readings and sent to House.

SB 67 - Introduced by Norton and others
"To recodify Chapter 163 of the General Statutes of North Carolina entitled 'Elections and Election Laws'." [Reorganizes and rewrites general law of State governing primary and general elections; does not modify or repeal local acts dealing with primary and election procedures. Standardizes terminology. Substantive changes apparently confined to resolution of conflicts in existing chapter. Inserts numerous minor provisions recognizing effect of using voting machines. Incorporates in appropriate general sections substance of numerous special sections in present chapter applicable to counties adopting full-time and permanent registration. Insertions and modifications include the following: As to election officials and organization - New GS 163-30 (present GS 163-11) places on State Board of Elections rather than its chairman duty to fill vacancy in county board of elections arising from cause other than removal by State Board. New GS 163-128 (present GS 163-22) specifies there must be one voting place in each precinct rather than one in each township. As to registration and challenges - New GS 163-67 (present GS 163-31) substitutes 6:30 p.m. for "sunset" as time for closing

registration on last day of registration period. New GS 163-72 (present GS 163-29) modifies procedure for transferring registration in same "city, town, or township" to cover any transfer within same "county". New GS 163-74 (present GS 163-50) modifies oath to be taken by one changing his record of party affiliation to conform to decision in Clark v. Meyland, 261 N.C. 140 (1964). New GS 163-75 (present GS 163-28.1) requires one appealing from denial of registration to notify county board of elections as well as registrar. New GS 163-84 (present GS 163-78) specifically empowers precinct election officials (as registered voters of precinct) to challenge a registration or vote. Deletes substance of present GS 163-32 through GS 163-42 (implementing obsolete Grandfather Clause). As to filing and primary - Makes provision for nomination of district court judges. New GS 163-106(c) requires candidates for district court judgeships to file with State Board of Elections and new GS 163-108 (b) requires State Board to certify names of such filers to county boards of elections in appropriate districts for inclusion on county ballots. New GS 163-108(c) requires county boards of elections in multi-county representative and senatorial districts to certify names of filers for legislative offices to State Board of Elections rather than to other county boards of elections in district, and requires State Board to certify them to appropriate county boards for inclusion on county ballots. New GS 163-111(c) (present GS 163-140) provides that one entitled to demand second primary must do so within a specified time "after the result of the first primary has been officially declared," rather than within specified time after he has been officially notified of result of first primary. As to ballots - New GS 163-150 (present GS 163-166) drops requirement that ballots be folded. New GS 163-162 inserts provision authorizing county board of elections to determine if paper ballots shall be made available for any purpose in precincts in which voting machines are used. As to voting by absentee ballot: - New GS 163-227 (present GS 163-55) provides that upon physician's certificate that applicant's illness or physical disability incurred before 6 p.m. on Wednesday before election is of such nature as to make it impossible for him to sign application for absentee ballots, application may be signed for him at his direction by a specified relative or by attending physician. (Present law permits application for absentee ballots to be signed by one other than applicant himself in only one instance, i.e., when illness or physical incapacity occurs after 6 p.m. on Wednesday before election. Recodification does not alter this provision.). Identical with HB 146.] To Election Laws and Legislative Representation.

SB 68 - Introduced by Green

"To amend G.S. 153-9 to grant to boards of county commissioners the same authority as now granted to municipalities to regulate itinerant merchants, peddlers, hawkers and solicitors." [Adds to GS 153-9 provision that boards of county comm'rs may prohibit or regulate itinerant merchants, peddlers, hawkers and solicitors. Regulation may include requirement of application, issuance of permit, investigation, limitation of activities as to time and area, submission of proof of financial stability, and posting of bond adequate to protect public from fraud (same powers given municipalities by GS 160-200 (42)). Board may regulate in portion of county outside jurisdiction of incorporated municipality or within such a municipality whose governing body, by resolution, consents to such regulation.] To Judiciary 2.

SB 69 - Introduced by Griffin

"To divide North Carolina into Congressional Districts." [Identical with HB 136, digested in the House section of today's bulletin.] To Congressional Redistricting.

LOCAL BILLS INTRODUCED -- SENATE

SB 70 - (Yancey) Introduced by Dent
"To provide for nominating Democratic candidates for office in Yancey County." [Provides that primary laws of GS Ch. 163 to be applicable in Yancey County for nominating candidates for the Democratic party for all township, county, district, and State offices. Repeals Pub.-Loc. L. 1941, Ch. 103 (providing for nomination of all legislative, county, and township offices in Yancey County by convention instead of by primary) to extent of conflict with this act.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 4 - Arbor week. Reported favorably; passed second and third readings.
SB 37 - Ethyl alcohol testing. Reported favorably.
SB 63 - Adoption by putative father. Reported favorably.
SR 66 - (Joint Resolution) Memorializing Strickland. Passed three readings.

HB 35 - Motor vehicle point system (House committee substitute 2/24). Reported favorably.
HB 42 - General Statutes Commission. Reported favorably.
HB 55 - Historic Murfreesboro Commission. Reported favorably.
HB 62 - Liberalizing adoption process, as amended in House 2/22. Reported favorably.
HB 95 - Corporate documents filing. Passed second and third readings.
HR 135 - (Joint Resolution) Memorializing Bailey. Received from House; passed second and third readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

None

Next session of Senate: 12 noon, Thursday, March 2, 1967.

BULLETIN NO. 16
Wednesday, March 1, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 135 - (Joint Resolution) Introduced by Burrus and Roberson
"Honoring the memory of Carl L. Bailey, former member of the General Assembly." [As title indicates.] Passed three readings and sent to Senate.

HB 136 - Introduced by Mills of Anson
"To divide North Carolina into Congressional Districts." [Rewrites GS 163-103 (establishes US Congressional Districts) to redistrict for the purpose of nominating and electing NC Representatives to US Congress in 1968 and every two years thereafter. Provides for one Representative from each of 11 districts as follow:

District 1: Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Lenoir, Martin, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington.
District 2: Edgecombe, Franklin, Granville, Greene, Halifax, Nash, Northampton, Person, Vance, Warren, Wilson.
District 3: Carteret, Duplin, Harnett, Johnston, Onslow, Pender, Sampson, Wayne.
District 4: Chatham, Durham, Orange, Randolph, Wake.
District 5: Caswell, Forsyth, Rockingham, Stokes, Surry, Wilkes, Yadkin.
District 6: Alamance, Davidson, Guilford.
District 7: Bladen, Brunswick, Columbus, Cumberland, New Hanover, Robeson.
District 8: Anson, Cabarrus, Hoke, Lee, Montgomery, Moore, Richmond, Rowan, Scotland, Stanly, Union.
District 9: Gaston, Lincoln, Mecklenburg.
District 10: Alexander, Alleghany, Ashe, Avery, Burke, Caldwell, Catawba, Cleveland, Davie, Iredell, Mitchell, Watauga.
District 11: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Polk, Rutherford, Swain, Transylvania, Yancey.

Present law (GS 163-103 as amended 1966) to remain in force until Jan. 1969, to govern filling of any vacancy occurring in term of office which ends in Jan. 1969. Identical with SB 69.] To Congressional Districts.

HB 138 - Introduced by Bunn and McMillan of Wake
"To amend Chapter 14 of the General Statutes so as to abolish capital punishment except upon recommendation of the jury." [Provides for sentences of life imprisonment but authorizes the jury to recommend a sentence of death in cases of murder in first degree (GS 14-17), rape (GS 14-21), first degree burglary (GS 14-52), arson (GS 14-58), and killing in the course of malicious injury to railroad property (GS 14-278). (Except in the case of GS 14-278, cited sections now provide for sentences of death but authorize the jury to recommend a sentence of life imprisonment; the punishment for GS 14-278 is death, but jury is now given no authority to recommend life imprisonment).] To Judiciary 1.

HB 140 - Introduced by Poovey
"To amend Article VI of the Constitution of North Carolina, so as to permit members of the armed forces of the United States to vote, regardless of age, while serving outside the United States or its possessions." [Adds paragraph to Sec. 1 of Art. VI of N.C. Constitution, authorizing members of armed forces under 21 serving outside of U.S. and its possessions, and otherwise qualified for voting in NC, to vote in any election by people of state.

Provides for proposed amendment to be submitted to qualified voters of State at next general election; voting on amendment to be conducted under laws now governing general elections in State. Sets forth form of ballot. If majority of votes cast favor amendment, Governor to certify amendment under Great Seal of State to Sec'y of State, who shall enroll amendment among permanent records of his office. Certified amendment effective on date of certification.] To Constitutional Amendments.

HB 141 - Introduced by Roberson and Burrus

"To appropriate funds for Bath State Historic Site." [As title indicates. Appropriates to Dept. of Archives and History $96,000 for construction and equipping of a visitor center-museum at Historic Bath, and $1,200 for fiscal year 1968-69 to cover resulting increased operational costs of facility.] To Appropriations.

HB 142 - Introduced by Ramsey of Person

"To amend General Statutes 78-4 relating to the exemption of certain corporate borrowing." [Amends cited section by exempting from GS Ch. 78 (Securities Law) negotiable promisory notes issued by domestic corporations if notes are not offered to more than 25 persons in State and no expense is incurred and no commission, compensation or renumeration is paid or given in connection with sale or disposition of notes.] To Judiciary 2.

HB 143 - Introduced by Twiggs

"Topromote safety of operators of motorcycles by requiring special examination and licenses." [Adds GS 20-7.1 providing that only persons licensed as motorcycle operators by Dept. of Motor Vehicles permitted to operate, or allow to be operated, motorcycle on any NC street or highway. Exceptions made for: (1) Army, Navy or USMC operation of vehicles; (2) non-resident aged 16 or older in immediate possession of valid motor vehicle operator's license issued in home jurisdiction; (3) nonresident and 18 or older whose home jurisdiction does not require licensing of operators where motorcycle not operated for more than 90 days in any calendar year and registered in home jurisdiction of nonresident. Operator's license to be granted only after requiring each applicant to demonstrate capability by passing special examination which may include road tests, oral and written tests and eye tests. Licensing procedure, including cancellation, suspension and revocation; may be in same manner as provided for operator's licenses issued by Dept. of MV. Comm'r of MV authorized to promulgate reasonable rules and regulations for administration of section; violation of act a misdemeanor punishable in discretion of Court.] To Highway Safety.

HB 144 - Introduced by Johnson of Wake and Johnson of Duplin

"To amend G.S. 14-293 as it relates to duties of municipal officials." [Amends cited section (prohibiting gambling in houses of public entertainment) by deleting portions: requiring municipal police officers to report weekly on such violations to the mayor of municipality; requiring mayor to require reports from officers and to issue warrants for violators; making it misdemeanor for mayor or police officer to fail to act as required; and imposing $500 penalty (1/2 to the persons bringing suit and 1/2 to county school fund) on persons committing named offenses. Bars all actions, civil or criminal, not already instituted arising under the deleted provisions.] To Counties, Cities and Towns.

HB 146 - Introduced by Barbee and others

"To recodify Chapter 163 of the General Statutes of North Carolina entitled 'Elections and Election Laws.'" [Identical with SB 67, digested in the Senate section of today's bulletin.] To Elections and Election Laws.

LOCAL BILLS INTRODUCED -- HOUSE

HB 137 - (Cabarrus) Introduced by Johnson
"To make Chapter 152A of the General Statutes, providing for county medical examiners, applicable to Cabarrus County." [Adds Cabarrus to list of counties subject to GS Ch. 152A (provides for county medical examiners).] To Health.

HB 139 - (Cleveland) Introduced by Falls
"To provide compensation for registrars and judges of elections in the City of Shelby, North Carolina." [Provides for Shelby judges of elections and assistants to receive $15 (now $8) for their services on any election day in Shelby; registrars to receive $15 (now $8) per day for each Saturday's attendance at polling place for purpose of registering voters during registration period, and on election day registrars to receive $20 (now $10). Persons sworn to act as registrar or judge of elections to receive same compensation as registrar and judge. Repeals SL 1951 Ch. 656 (present compensation provisions). Retroactive to March 6, 1967.] To Salaries and Fees.

HB 145 - (Pitt) Introduced by Forbes by request
"To extend the corporate limits of the town of Ayden." [As title indicates; additional territory is described by metes and bounds.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 22 - Presidential disability amend. Reported favorably.
HB 69 - Counsel fees in receiverships. Passed second and third readings.
HB 78 - Priority for school bus routes. Reported unfavorably.
HB 135 - (Joint Resolution) Memorializing Bailey. Passed second and third readings

LOCAL BILLS

Note: [Only amendments, committee substitutes, committees to which referred and final action are reported.]

None

Next session of House: 12 noon, Thursday, March 2, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 17

Thursday, March 2, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 71 - Introduced by Evans and others
"To amend Chapter 110 of the General Statutes relating to the hours of labor of certain minor girls." [Deletes from GS 110-2, which regulates hours of work for minors, the first proviso of the second sentence, providing that girls between 16 and 18 shall not be employed or allowed to work before 6:00 a.m. or "after twelve o'clock midnight" (apparently intended to provide "after nine o'clock in the evening", as stated by present text of section).] To Judiciary 2.

SR 72 - (Senate Resolution) Introduced by Osteen
"Requesting an advisory opinion of the Supreme Court of North Carolina relating to the election of Superior Court Judges." [Requesting opinion of North Carolina Supreme Court on whether present system of combined nomination of Superior Court Judges by judicial district followed by an election by voters of entire State is legal under North Carolina Constitution (providing in Art.IV, §14 that, "Regular Judges of the Superior Court may be elected by the qualified voters of the state or by the voters of their respective districts, as the General Assembly may provide").] To Courts and Judicial Districts.

SB 73 - Introduced by Morgan and others
"To make an appropriation to the State Board of Education to provide financial assistance to hospital programs of nursing education leading to diplomas in nursing." [Appropriates to State Board of Education from General Fund for purposes indicated by title $1,200,000 for '67-'69 biennium. Funds not expended during fiscal year ending June 30, 1968 to be available to Board for expenditure during fiscal year ending June 30, 1969. To qualify for assistance nursing program must be conducted by an educational unit in nursing fully accredited by the North Carolina Board of Nursing and which is operated under authority of public or non-profit hospital licensed by North Carolina Medical Care Commission. Board to distribute to eligible units upon their application $300 annually for each student enrolled in program as of December 1 of preceding year provided accreditation is maintained. Board to make rules and regulations to carry out Act and to insure that money is used directly for faculty and instructional needs of diploma nursing schools, not for religious or other non-public purposes. Effective July 1, 1967. Identical with HB 156.] To Public Health.

SB 74 - Introduced by Burney

"To extend coverage under motor vehicle liability policies to casual employees." [Amends GS 20-279.21(e) to add casual employees to those who must be covered by automobile liability policy (cited provision now only refers to those in domestic employment or in operation, maintenance, or repair of motor vehicle).] To Insurance.

SB 75 - Introduced by MacLean and Henley

"To create the North Carolina Cancer Study Commission." [Creates North Carolina Cancer Study Commission to be composed of 20 members appointed by Governor; 10 members to be chosen from medical profession and 10 members from outside medical profession. Members to be appointed for 2-year terms beginning July 1, 1967. Public officers appointed to Commission shall serve ex-officio in addition to duties imposed by law. Commission to elect its chairman. Commission to study entire problem of cancer, including means of implementing its recommendations and assisting in their development, the effective use of assembled information and whatever other studies felt necessary for control and cure of cancer. Commission to report annually to Governor and be paid per diem and subsistence and travel allowance as provided for other commissioners in Biennial Appropriations Act. Expenses of Commission not exceeding $5,000 to be paid out of Contingency and Emergency Fund.] To State Government.

SB 76 - Introduced by MacLean and others

"To establish the North Carolina American Revolution Bicentennial Commission." [Establishes North Carolina American Revolution Commission to plan and conduct celebrations of the bicentennial of the American Revolution. Commission to include following ex officio members: Director of Dept. of Archives and History; Director of Dept. of Conservation and Development; Superintendent of Public Instruction; State Regent of Daughters of the American Revolution; and head of history or equivalent department at University of North Carolina at Chapel Hill, North Carolina State University, North Carolina College at Durham, East Carolina College, Western Carolina College, Appalachian State Teachers College, Wake Forest College, Duke University and Davidson College. Ex officio member may appoint deputy as representative on Commission. Governor to appoint ten members; two each for terms of one, two, three, four and five years and may fill vacancies among his appointees, and as each term expires shall appoint successors for full five year terms. Members shall serve without pay but be allowed travel and subsistence expenses. Expenses of members, employees salaries and other expenses may be paid from allotments from Contingency and Emergency Fund as approved by Governor and Council of State.] To State Government.

SB 77 - Introduced by Wood and others

"To create the North Carolina Good Neighbor Council and to prescribe its organization and functions." [Identical with HB 167, digested in the House section of today's Bulletin.] To State Government.

SB 79 - Introduced by Moore

"To amend Chapter 18 of the General Statutes relative to the transportation and handling of malt beverages." [Adds to GS 18-69 provision that licensed resident manufacturers of beverages defined in GS 18-64 (a) (apparently, reference is to GS 18-64(1), which defines beverages as including beer and other brewed or fermented beverages containing one half of one percent alcohol by volume but not more than five percent alcohol by weight) may receive such beverages manufactured by it outside State, but within US, for transshipment to dealers in other states if resident manufacturer is actually engaged in manufacture of such beverages in N.C., beverages are kept segregated from any such State taxpaid

beverages, and any regulations promulgated by Comm'r of Revenue and North Carolina Board of Alcoholic Control are complied with. Adds to GS 18-79 (defining license requirements of retailers of GS 18-64(1) beverages) provision that resident manufacturer of beverages "defined in G.S. 18-64(a)" who has obtained retail license may sell to its employees "short filled" packages that have State taxpaid crown or lid affixed. Adds to GS 18-81 (prescribing taxes on beverages defined in GS 18-64(1)) provision that beverages "defined in G.S. 18-64(a)" may be shipped by a resident manufacturer to itself in NC or from NC without taxpaid crown or lid when it is used for taste purposes as a part of its manufacturing laboratory function, if such shipments are approved by North Carolina Board of Alcoholic Control and identified as required by Board.] To Propositions and Grievances.

LOCAL BILLS INTRODUCED -- SENATE

SB 78 - (Buncombe) Introduced by Dent
"To amend the charter of the City of Asheville as it relates to franchises." [Provides that no question on any franchise is to be submitted to voters of Asheville in any election until more than 120 days elapse after final approval and adoption by City Council of ordinance granting such franchise. (Note: Act purports to amend "Section 144 of the Asheville Charter, as codified in the code of the City of Asheville, North Carolina, dated 1945". Act apparently intends to amend Priv. L. 1923, Ch. 16, Sec. 239, as re-enacted by Priv. L. 1931, Ch. 121, Sec. 89.)] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 3 - Continuing teacher contract. Reported favorably; placed on calendar for 3/6.
SB 23 - Roanoke-Chowan Tech. Reported favorably; re-referred to Appropriations.
SB 27 - Guardian bonds. Reported favorably; placed on calendar for 3/6.
SB 28 - Administrator bonds. Reported favorably; placed on calendar for 3/6.
SB 37 - Ethyl alcohol testing. Re-referred to Judiciary 1.
SB 63 - Adoption by putative father. Floor amendment adopted making technical change. Passed second and third readings.

HB 35 - Motor vehicle point system (House committee substitute 2/24). Passed second and third readings.
HB 41 - Technical amendments. Reported favorably; placed on calendar for 3/6.
HB 42 - General Statutes Commission. Passed second and third readings.
HB 55 - Historic Murfreesboro Commission. Passed second and third readings.
HB 62 - Liberalizing adoption process, as amended in House 2/22. Passed second and third readings.
HB 69 - Counsel fees in receivership. Received from House; sent to Judiciary 1.
HR 152 - (Joint Resolution) Memorializing Johnson. Received from House; passed second and third readings.
HR 154 - (Joint Resolution) Memorializing Spruill. Received from House; passed second and third readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

HB 10 - (Columbus) Lake Waccamaw charter. Passed.
HB 21 - (Gaston) Mount Holly zoning. Passed.

HB 72 - (Bertie) Aulander Comm'rs increased, as amended in House 2/23. Passed.
HB 73 - (Bertie) Aulander beer limit lifted. Passed.
HB 90 - (Gaston) Cherryville extra zoning. Passed.
HB 94 - (Gaston) Belmont contract exemption. Re-referred to Judiciary 2.

BILLS RATIFIED

HB 40 - (Harnett) Erwin incorporation. [Ch. 12]
HB 88 - (Nash, Chatham, Orange, Guilford) Abandoning domestic animals, as amended in House 2/22, and in Senate 2/27. [Ch. 11]
HB 95 - Corporate documents filing. [Ch. 13]
HR 121 - (Joint Resolution) Memorializing Worthington. [R 12]
HR 123 - (Joint Resolution) Honoring Owen hoopsterettes. [R 13]
HR 135 - (Joint Resolution) Memorializing Bailey. [R 14]

Next session of Senate; 7:45 a.m., Friday, March 3, 1967.

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BULLETIN NO. 17
Thursday, March 2, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 147 - Introduced by Johnson of Wake
"To amend the Uniform Narcotic Drug Act." [Amends GS 90-87(1) and (9) to exclude peyote from definition of "cannabis" under Narcotic Drug Act, and to add to definition of "narcotic drugs" mescaline, psilocybe mexicana, psilocybin, LSD, or other psychedelic drugs or hallucinogens; also includes peyote by name in such list (now included as "cannabis"). Amends GS 90-98 to add mescaline, psilocybe mexicana, psilocybin, and LSD to drugs for which written orders of sale and records are not required, but for which manufacturers and wholesalers must render and purchasers must retain invoices. Amends GS 90-111.2(b) to allow transfer of vehicles, vessels or aircraft seized under Narcotic Drug Act to State Bureau of Investigation for use in official investigations (now, only for use in official investigations of violations of Act).] To Health.

HB 148 - Introduced by Johnson of Wake
"To amend the Uniform Barbiturate and Stimulant Drugs Act." [Amends GS 90-113.7(b) to allow transfer of vehicles, vessels or aircraft seized under Barbiturate and Stimulant Drugs Act to State Bureau of Investigation for use in official investigations (now, only for use in official investigations of violations of Act).] To Health.

HB 149 - Introduced by Staton and Ervin
"To amend Article 4A of Chapter 14 of the General Statutes relating to secret societies and activities." [Adds to GS 14-12.14 (prohibiting placing on exhibit of any kind any place in the state while wearing mask, hood, or other disguise) requirement that prohibited acts be committed with the intention of intimidating any person or persons or preventing them from doing any lawful act or causing them to do any unlawful act.] To Judiciary 1.

HB 150 - Introduced by Ragsdale and others
"To authorize the State Board of Education to convert the Onslow County Industrial Education Center to a Technical Institute and to provide for the financial support thereof." [As title indicates, authorizes State Board of Education to convert Onslow County Industrial Education Center to technical institute; local taxes heretofore authorized and levied for support of institution to be continued and Onslow County Board of Education authorized to transfer, without compensation to trustees of present institution, title to property held by Board of Education, as the boards may agree and either before or after institution is converted to technical institute. If conversion approved, Governor to appoint four additional trustees within 60 days and in accordance wtih GS 115A-7 and GS 115A-8(1).] To Education.

HB 151 - Introduced by Edwards and others
"Amending G.S. 105-4, relating to inheritance tax exemptions, so as to provide that the exemptions for surviving husbands shall be the same as for surviving wives." [Amends cited section to provide that widowers receive $10,000 inheritance tax exemption now provided for widows. Effective June 30, 1967 and applicable to persons dying on and after July 1, 1967.] To Finance.

HR 152 - (Joint Resolution) Introduced by Roberson and Burrus
"Honoring the memory of Patrick Henry Johnson, Sr., former member of the General Assembly from Beaufort County." [As title indicates.] Passed three readings and sent to Senate.

HR 153 - (Joint Resolution) Introduced by Vogler and others
"Approving the allocation by the Department of Conservation and Development of fifty thousand dollars to The Greater Charlotte Bicentennial Commission." [As title indicates.] To Conservation and Development.

HR 154 - (Joint Resolution) Introduced by Burden and others
"Honoring the memory of Charles Wayland Spruill." [As title indicates.] Passed three readings and sent to Senate.

HB 156 - Introduced by Johnson of Duplin and others
"To make an appropriation to the State Board of Education to provide financial assistance to hospital programs of nursing education leading to diplomas in nursing." [Identical with SB 73, digested in the Senate section of today's bulletin.] To Health.

HB 157 - Introduced by Vogler and others
"To create the North Carolina Good Neighbor Council and to prescribe its organization and functions." [Creates NC Good Neighbor Council, composed of chairman, vice-chairman, and 18 members, all appointed by Governor and serving at his pleasure. Public officer appointees serve ex-officio. Duties of Council include: study problems in area of human relations; promote equality of opportunity; promote understanding, respect and good will; provide channels of communication among races; encourage employment of qualified people without regard to race; encourage youth to become better trained and qualified for employment; receive and expend gifts and grants from public and private donors; enlist cooperation and assistance of governmental officials in attainment of objectives; assist local councils, bi-racial, and human relations committees in promoting Council activities; and make biennial report to Governor and General Assembly.

Chairman made executive officer of Council and charged with implementing Council program and, with approval of Governor, appointing, discharging and prescribing duties of employees. If chairman unable to perform duties of office, vice-chairman to exercise authority of chairman except as restricted by Council resolution. Council headquartered in Raleigh and to meet once every 90 days at time and place prescribed by Council or chairman. Authorizes special meetings any time and place within State on call of chairman or Governor. One-half of membership (chairman and vice-chairman may be counted) constituted quorum. Council to select recording secretary from membership to keep minutes subject to public inspection. Authorizes chairman and vice-chairman to appoint executive committee and other needed officers, subject to approval of Governor. Authorizes Governor to appoint Advisory Committee to Council, to serve at his pleasure and without pay. Governor to fix salary of chairman with approval of Advisory Budget Commission; salaries of other employees fixed pursuant to State Personnel Act. Allows vice-chairman and members same per diem, subsistence and travel allowances provided members of State boards and commissions pursuant to GS 138-5. Makes Council part of Dept. of Administration for purposes of administration and budgeting. Transfers unexpended appropriations and other assets of existing NC Good Neighbor Council (created by executive order) to Dept. of Administration for use of Council here created. Transfers records, files and papers of existing Council to new Council. Effective July 1, 1967.] To State Government.

LOCAL BILLS INTRODUCED -- HOUSE

HB 155 - (Richmond) Introduced by Hunter by request
"Relating to street improvements in the City of Rockingham." [Ratifies all Rockingham curb-gutter and street assessments within past three years. Authorizes city to make assessments and levies for such street improvements within past three years in those cases where it has not already done so, but requires notice pursuant to GS 160-87 and limits the levy to half the costs per front foot pursuant to GS 160-85.] To Local Government.

HB 158 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter, and Jones
"To ratify conveyance of certain lands by Mecklenburg County to the State of North Carolina for use by the State Highway Commission." [As title indicates, ratifies conveyance of land described in bill as lying in Crab Orchard Township.] To Highway Safety.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 4 - Arbor Week. Received from Senate; sent to Conservation and Development.
SR 66 - (Joint Resolution) Memorializing Strickland. Received from Senate; passed three readings.

HB 22 - Presidential disability amend. Passed second and third readings.
HB 51 - Damaging occupied property. Reported favorably; placed on calendar for 3/7.
HB 52 - Governor reward increase. Reported favorably as amended; placed on calendar for 3/7.
HB 53 - Cross burning penalty. Reported favorably; placed on calendar for 3/7.
HB 96 - Disputed boundary surveys. Passed second and third readings.
HB 129 - Bed-board divorce. Reported favorably.
HR 152 - (Joint Resolution) Memorializing Johnson. Passed three readings.
HR 154 - (Joint Resolution) Memorializing Spruill. Passed three readings.

LOCAL BILLS

[Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

HB 39 - (Gaston) School bus use. Passed.
HB 81 - (Jones) BCC & Bd of Ed salary increase. Passed.

Next session of the House: 7:45 a.m., Friday, March 3, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 18

Friday, March 3, 1967

Session: Senate -- 7:45 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

None

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 22 - Presidential disability amend. Received from House; sent to Constitution.
HB 46 - Officers of Assembly pay. Reported favorably as amended.
HB 96 - Disputed boundary surveys. Received from House; sent to Judiciary 1.

LOCAL BILLS

Note: Only amendments, committee substitutes, committees to which referred and final action are reported.]

HB 39 - (Gaston) School bus use. Received from House; sent to Education.
HB 81 - (Jones) BCC & Bd of Ed salary increase. Received from House; sent to Salaries and Fees.

Next sessions of Senate: 9:00 a.m., Saturday, March 4, 1967 for consideration of local bills only;
8:00 p.m., Monday, March 6, 1967.

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BULLETIN NO. 18
Friday, March 3, 1967

Session: House -- 7:45 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 159 - Introduced by Johnson of Wake and Stanford

"To assure adequate and continuing ambulance services to the citizens of North Carolina." [Amends GS 130-3 to define "ambulance" as including any privately or publicly owned vehicle specially designed and equipped for transporting sick and incapacitated. Adds new Article 26 (Regulation of Ambulance Services) to GS Ch. 130 as follows: Prohibits engaging in business or service of transporting patients without valid permit for each ambulance issued by State Board of Health or its authorized agent. Requires registered owner to apply to Board for ambulance permit; Board to issue permit (for not exceeding one year) if it finds ambulance meets all requirements as to medical equipment, supplies and sanitation as set out in Board regulations. Authorizes Board agents to issue temporary permits (for not exceeding 60 days) for vehicles not meeting required standards. Makes records relating to operation of licensed ambulances open to inspection by Board. Provides that issuance of permit does not authorize operation of ambulance without a franchise in violation of GS 153-9-(58) (as set out below). Authorizes Board to inspect equipment and supplies, and to suspend permit until requirements are met. Directs Board to adopt regulations setting out qualifications required for certification of ambulance attendants, and to issue certificate (for period not exceeding two years) to qualified applicants. Authorizes Board to cancel certificate if it finds that holder no longer meets qualifications. Authorizes Board agents to issue temporary certificates (for not exceeding 90 days) with or without examination, if found in public interest. Requires ambulances on emergency missions to be occupied by at least one holder (who may be the driver) of valid certificate. Exempts following from provisions of article: privately owned vehicles not ordinarily used in transporting sick and incapacitated; vehicles used in cases of catastrophe or emergency when licensed ambulances are not sufficient to meet needs; ambulances based outside the State unless transporting patient from point to point within State; and US Government ambulances. Charges registered owner with complying with provisions of article and regulations adopted pursuant thereto; makes violation misdemeanor punishable by fine or imprisonment in court's discretion.

Amends GS 20-10 so as to make it clear that persons under the age of 21 may drive ambulances. Adds new GS 14-111.1 making it a misdemeanor for any person to obtain ambulance services without intending to pay reasonable charges if financially able. Creates presumption of fraudulent intent upon court finding that party is able to pay but has wilfully refused to do so for period of 90 days after payment requested. Adds new GS 14-286.1 making it a misdemeanor for person to wilfully summon ambulance or report that one is needed without good cause to believe that services are needed: Imposes punishment of fine not in excess of $50 or imprisonment not exceeding 30 days, or both.

Adds new GS 153-9 (58) as follows: grants power to counties to enact ordinances making it unlawful to provide ambulance services or to operate ambulances without having been granted a franchise to do so; to franchise ambulance operators; to limit number of ambulances to be operated within county and by any operator; to prescribe areas of franchised service within county; to fix reasonable charges for franchised services; to set minimum liability insurance coverage for ambulances; to contract with franchised operators for transportation rendered upon call of county or municipal agencies and for transportation of indigents or public assistance recipients; and to establish other regulations not inconsistent with statutes or regulations of State Board of Health. Authorizes and directs county commissioners, upon a finding that ambulance service is not or cannot be provided by private enterprise, to provide such services. Authorizes board to own, operate, maintain and charge for its own ambulance service, or to contract with any public or private agency, person, or corporation for such services. Authorizes board to finance costs of service through annual levy of special tax on each $100 of

assessed valuation of taxable property at such rate as needed, such tax to be in addition to any tax allowed by law for such purpose and the rate allowed by NC Constitution for general purposes. Declares levy and expenditures for authorized purposes to be necessary expense and special purpose. If court decides levy and expenditure not a necessary expense, authorizes board to call a referendum on question of levy of tax pursuant to laws governing general elections for county officers in the county. Authorizes any municipality to exercise powers set out above for counties upon an authorizing resolution requested by municipality and adopted by county board or after 180 days written notice to county board if county is not exercising such powers within the 180 period. Authority of municipality confined to corporate limits. Provides that no county ordinance or other action taken by county shall be effective within municipality already exercising powers until 180 days after written notice to municipality. Prohibits counties from regulating ambulances owned and operated by municipality, and municipalities from regulating ambulances owned and operated by counties.] To Health.

LOCAL BILLS INTRODUCED -- HOUSE

None

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 63 - Adoption by putative father, as amended in Senate 3/2. Received from Senate; sent to Judiciary 1.

LOCAL BILLS

None

Next sessions of the House: 10:00 a.m., Saturday, March 4, 1967, for consideration of local bills only.
8:00 p.m., Monday, March 6, 1967.

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DAILY BULLETIN

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BULLETIN NO. 19
Saturday, March 4, 1967

Session: Senate -- 9:00 a.m.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

LOCAL BILLS

SB 78 - (Buncombe) Franchise referendum hiatus. Passed.

Monday, March 6, 1967

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 80 - Introduced by Boger and Griffin
"To amend the Workmen's Compensation Act, regarding benefits." [Amends GS 97-29, GS 97-30, GS 97-38, GS 97-61.5(b) and GS 97-61.6 by raising maximum weekly compensation and death benefits to be paid by employer to or on behalf of injured employee to $42.00 (now $37.50). Amends GS 97-29, GS 97-41, and GS 97-61.6 by raising maximum amount of compensation to be paid to $14,700 (now $12,000). Amends GS-29 and GS-38 by raising funeral benefit to $500 (now $400). Identical with HB 172. Effective July 1, 1967, and applicable only to cases originating on or after said date.] To Judiciary 2.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 3 - Continuing teacher contract. Passed second reading.
SB 27 - Guardian bonds. Passed second and third readings.
SB 28 - Administrator bonds. Passed second and third readings.

HB 41 - Technical amendments. Passed second and third readings.
HB 46 - Officers of Assembly pay. Technical amendment adopted. Passed second and third readings.

LOCAL BILLS

HB 57 - (Wake) Raleigh dedication powers. Passed.

Next session of Senate: 11:00 a.m., Tuesday, March 7, 1967.

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BULLETIN NO. 19
Monday, March 6, 1967

Note: The House convened at 10:00 a.m., Saturday, March 4, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 160 - Introduced by Twiggs and Hunter of Mecklenburg

"To amend G. S. 20-7(b), G. S. 20-7(i) and G. S. 20-7(m) providing better identification of motor vehicle operators by requiring photographs of licensees on operators' or chauffeurs' licenses." [Amends GS 20-7(i) (calling for license application to be made on approved form) to add requirement that at time of license examination applicant is to exhibit certified copy of his birth certificate or, if unavailable, other identification satisfactory to Comm'r of Motor Vehicles. Amends G. S. 20-7(i) by raising to $3.25 issuance or reissuance fee for operator's license (now $2.50) and to $4.75 for chauffeur's license (now $4.00). Amends GS 20-7(m) by adding requirement that license bear photograph of licensee of a size approved by Comm'r. Effective July 1, 1967.] To Roads.

HB 166 - Introduced by Ervin

"To amend G.S. 8-57 to allow a spouse to be examined in behalf of the State against the other spouse in certain criminal prosecutions." [Amends G.S. 8-57 to except from privilege of spouse testifying against another, assaults by either spouse against another when subject of criminal prosecution, and for abandonment, or neglecting to provide for spouse's or children's support (now only when husband commits assault or battery on wife or abandons or neglects wife or children); adds to list of actions excepted from privilege, criminal offenses against legitimate, illegitimate, or adopted minor child of either spouse; and generally clarifies statute.] To Judiciary 1.

HB 169 - Introduced by Rountree

"Authorizing the Board of Trustees of East Carolina College to construct an addition and improvements to Ficklen Stadium at East Carolina College to provide additional permanent seating facilities; with appurtenances and incidentals, and to issue revenue bonds therefor without a pledge of taxes or the faith and credit of the State." [As title indicates; improvements to consist of 10,000 seat addition with incidental parking, access roads, facilities and equipment; bonds to be payable from revenues of Stadium operation, athletic admission fees, and student fees collected from ECC students. Spells out powers of Board of Trustees in connection with Stadium addition and revenue bonds, including authority: to fix student fees, fix rates and charges from use of and services from Stadium, and fix admission fees; to lease the Stadium for not over 40 years; to pledge fees, charges and other revenues to payment of Stadium bonds; and to regulate installation and relocation of public utility facilities (including tracts, pipes and lines) of public utilities, pipeline companies and other entities in, on, over, along or under the Stadium (upon payment of any utility relocation expense). Spells out terms and conditions of revenue bonds, bond anticipation notes and revenue refunding bonds; maximum bond maturity 40 years and maximum note maturity 5 years; 6% maximum interest rate. Authorizes Board to carry insurance on Stadium. Exempts project and its income, incidental property and bonds from State and local taxes and assessments. Makes bonds eligible for investment by trustees and other fiduciaries, public officers and bodies of the State and its subdivisions, insurance companies, banking associations, trust companies, and investment companies. Empowers Board to authorize its executive committee to sell the bonds or notes. Board may take any authorized action under act at any regular or special meeting, effective immediately. Act is supplemental to existing powers.] To Appropriations.

HB 170 - Introduced by Britt of Johnston and Paschall

"To amend Article 45 of Chapter 1 of the General Statutes relating to arbitration and award." [Rewrites entire Art. 45 (Arbitration and Award) as follows: Authorizes parties to agree to submit to arbitration any controversy existing at time of agreement or any controversy thereafter arising relating to the agreement (now, the controversy must exist at the time of the agreement to submit to arbitration). Article not to apply to any agreement stipulating that it is inapplicable, nor to arbitration agreements between employers and employees unless their agreement provides that article to apply. Spells out manner in which court may compel or stay arbitration and specifies when issues are timely. Describes method of appointment of arbitrators and provides that they operate by majority rule unless agreement or article provides otherwise. Provides that arbitrators appoint time and place for hearing, and spells out procedures to be followed. Provides parties have right to be represented by attorney at hearing. Authorizes arbitrators to issue subpoenas and subpoenas duces tecum and to permit use of depositions. Authorizes payment of witnesses at same rate paid in General Court of Justice. Provides that award must be in writing and signed by arbitrators joining in award and that award may be corrected or modified in specified instances. Provides that expenses and fees of arbitrators' (except counsel fee) be paid as set out in the award. Provides that court shall confirm an award, upon application of a party, unless upon application of another party it determines to vacate, modify or correct the award (the grounds upon which an award may be vacated, modified or corrected are enumerated). Provides that orders of court with respect to arbitration be docketed and enforced as any other judgment. Provides that applications to court with respect to arbitrations are treated as motions generally. Authorizes appeal from court orders in specified cases and in same manner as from orders or judgments in civil actions. Entitled act as "Uniform Arbitration Act". Effective October 1, 1967 and applies to agreements made on or after said date.] To Judiciary 2.

HB 171 - Introduced by Britt and others

"Concerning the liability of a parent to his or her minor child for injury arising out of the operation of motor vehicles." [Provides for minor child to have cause of action against his parent for injury to his person or property arising out of operation of motor vehicle owned or operated by parent. Parent may be liable as joint tortfeasor and may be made party to action as in other cases. No cause of action to survive death of minor child. Not to apply to litigation instituted prior to October 1, 1967.] To Judiciary 2.

HB 172 - Introduced by Messer and Quinn

"To amend the Workmen's Compensation Act, regarding benefits." [Identical with SB 80, digested in the Senate section of today's bulletin. To Manufacturers and Labor.

HB 173 - Introduced by Mohn

"To amend GS 20-128 to provide for mufflers and exhaust stacks on diesel powered trucks and tractors." [Adds new paragraph (c) to GS 20-128 requiring every road tractor, truck tractor or truck powered by diesel engine operated in State and manufactured, assembled or first sold after July 1, 1967 to be equipped with muffler, of a type to be approved by Commissioner of Motor Vehicles, and exhaust stack which discharges all engine exhaust gases at height of not less than eight feet from highway surface.] To Roads.

LOCAL BILLS INTRODUCED -- HOUSE

HB 161 - (Hoke) Introduced by McFadyen

"To amend G.S. 105-292, relating to the appointment of assistant county tax supervisors, so as to make the same applicable to Hoke County." [Removes Hoke County from list of counties exempted from GS 105-292 (empowering county commissioners to appoint assistant tax supervisors and clerical assistants to supervisor, and listing duties of such appointees).] To Local Government.

HB 162 - (Hoke) Introduced by McFadyen

"Amending G.S. 153-8 relating to the meeting place of the Board of Commissioners of Hoke County." [Modifies GS 153-8 to permit Hoke Board of County Commissioners to meet in Conference Room of Board of Education Building in Raeford (cited section provides for meetings in courthouse).] To Local Government.

HB 163 - (Wayne) Introduced by Strickland and Chase

"Conferring upon Wayne County and the incorporated municipalities therein the power and authority to merge certain branches or departments of county government with similar branches or departments of the government of said municipalities, and, by agreement with the municipalities therein, to provide for the organization, operation, maintenance and control of any governmental departments merged hereunder and for the termination of such merger." [Authorizes Wayne County and its incorporated municipalities to merge similar departments of their governments when approved by majority of members of Board of County Commissioners and of governing body of municipality involved. All provisions for organization, operation, maintenance, control, costs, and termination of merged department to be determined by agreement of Board and governing body of municipality. Merged department, officers and employees to be vested with all powers and charged with all obligations and penalties vested in unmerged counterparts.] To Local Government.

HB 164 - (Wayne) Introduced by Strickland and Chase

"To amend GS 153-9, subdivision (47), relating to county plumbing inspectors, so as to make the same applicable to Wayne County." [Amends GS 153-9(47), authorizing county commissioners to appoint one or more plumbing inspectors and setting forth duties of plumbing inspectors, by making section applicable to Wayne County.] To Local Government.

HB 165 - (Wilson) Introduced by Paschall

"To authorize the Board of Commissioners of the City of Wilson in its discretion to submit to the people of the City of Wilson the question of whether or not the Board of Commissioners of the City of Wilson should enact a Sunday closing ordinance." [As title indicates, authorizes Wilson Board of Comm'rs to conduct referendum at general municipal election in May 1967 on Sunday closing ordinance; results of election not binding on Board and it may or may not amend or enact such ordinance regardless of vote.] To Counties, Cities and Towns.

HB 167 - (Guilford) Introduced by Phillips, Bowles, Edwards, Exum, Short and Whitley

"To amend the Charter of the City of Greensboro, the same being Chapter 37, Private Laws of 1923, as amended, and particularly as revised and reorganized by Chapter 1137, Session Laws of 1959, as amended." [Makes following amendments to Greensboro Charter: (1) Provides for council candidates to file candidacy not later than 2nd Friday preceding primary (now 10th day preceding primary); requires that withdrawals be preceded by notice to council not later than 2nd Friday preceding primary (or in accord with GS 163-154 if no primary). (2) Effective June 1, 1967 increases salary of mayor to $4,800 (now $3,600) and councilmen to $2,400 (now $1,800). (3) Adds enforcement of State law to arrest powers of city policemen. (4) Authorizes approval of supplies and equipment contracts by city manager with approval of city attorney, subject to previous appropriation, and authorizes

contracts for specialized equipment having only one known supplier, after informal bids and without regard to maximum general law limits (GS 143-129 and 143-131). (5) As to city manager's authority to rent vacant city-owned lots or buildings, removes limit to lots or buildings "to be used for dwelling purposes". (6) Eliminates applicability of charter conflict of interest provisions to city board or commission members. (7) Authorizes council to require plumbing, electrical, heating and air conditioning examinations. (8) Requires 1 to 3 (now 2 to 4) members of zoning commission to reside outside corporate limits. Prohibits recording of subdivision plats without prior approval of City through its designated agency. (9) Authorizes building inspector upon order of housing commission to cause the alteration, repair, closing or demolition of noncomplying buildings or dwellings. (10) Authorizes council to regulate use of property and facilities of city-owned or leased parks, playgrounds and recreation areas; to fix camping, boating and other charges therefor; and to employ park rangers with powers of peace officers (but not to be city police officers nor eligible for law enforcement officers benefit and retirement fund or police emergency fund). (11) Adds new article providing for Board of Trustees of Greensboro Public Library to govern and supervise the library, advise the council concerning lease or purchase of buildings, make recommendations to manager concerning appointment and removal of librarian and other employees (librarian to be certified professional librarian), recommend annual library budget to council, and extend privileges of library to non-residents of city or county with approval of council. (12) Repeals charter condemnation provision concerning apportionment of awards between owners and lessees. Authorizes city in condemnation proceedings following appeal to file estimated just compensation with clerk of superior court; makes condemnation appeals preferred cases entitled to precedence over other civil cases. Adds provision for 6% interest on condemnation awards from date of taking to date of judgment, but without any interest on deposits in court from date of deposit. Authorizes disbursement of deposits as full compensation or credit on compensation; authorizes clerk of superior court to make just and equitable orders concerning encumbrances, liens, rents, taxes, assessments, insurance and other charges. (13) Validates all extensions of corporate limits, local improvements and assessments.] To Local Government.

HB 168 - (Pitt) Introduced by Rountree
"To amend GS 153-10.1, relating to removal and disposal of trash, garbage, etc., so as to make said section applicable to Pitt County." [Amends cited section by adding Pitt to list of counties authorized to regulate removal and disposal of trash and garbage.] To Counties, Cities and Towns.

HB 174 - (Gaston) Introduced by Bumgardner and Stewart
"Authorizing the Board of Commissioners of Gaston County to impose the duties of Township Tax Lister upon the Township Tax Collector." [As title indicates.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 7 - Trout fishing licenses. Reported favorably.
HB 46 - Officers of Assembly pay, as amended in Senate 3/6. Received for concurrence in Senate amendment; concurred.
HB 129 - Bed-board divorce. Passed second reading.

LOCAL BILLS

SB 55 - (Edgecombe) Tarboro ward lines. Passed.
SB 78 - (Buncombe) Franchise referendum hiatus. Received from Senate; sent to Counties, Cities and Towns.

HB 23 - (Pamlico) Bayboro ad valorem. Passed.
HB 64 - (Stanly) County planning board. Passed.
HB 106 - (Wake) Raleigh rewards. Passed.
HB 108 - (Guilford) Fire protection funds. Passed.
HB 110 - (Rowan) Rockwell aldermen election. Passed.
HB 131 - (Carteret) Document draftsmen. Passed.
HB 133 - (Columbus) Whiteville land sale. Passed.

Next session of House: 11 a.m., Tuesday, March 7, 1967.

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BULLETIN NO. 20

Tuesday, March 7, 1967

Session: Senate -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 81 - Introduced by Futrell
"To authorize the State Board of Education to establish an extension unit of the North Carolina system of community colleges in Martin County and to make appropriations therefor." [As title indicates. Appropriates to State Board of Education from General Fund of State for fiscal year 1967-68 $15,648 for equipment and $39,060 for current operating expenses; for fiscal year 1968-69 $38,235 for equipment and $57,929 for current operating expenses to operate extension unit in Martin County. Identical with HB 177.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 69 - Counsel fees in receiverships. Reported favorably.
HB 96 - Disputed boundary surveys. Reported favorably.

LOCAL BILLS

HB 19 - (Pamlico) Grand jurors. Passed.
HB 23 - (Pamlico) Bayboro ad valorem. Received from House; sent to Finance.
HB 28 - (Rutherford) Jury trials. Passed.
HB 48 - (Pasquotank) School board consolidation, as amended in House 2/24.Passed.
HB 49 - (Chowan) School board consolidation, as amended in House 2/17, as amended in House 2/24. Passed.
HB 64 - (Stanly) County planning board. Received from House; sent to Counties, Cities and Towns.
HB 106 - (Wake) Raleigh rewards. Received from House; sent to Counties, Cities and Towns.
HB 108 - (Guilford) Fire protection funds. Received from House; sent to Counties, Cities and Towns.
HB 110 - (Rowan) Rockwell aldermen election. Received from House; sent to Counties, Cities and Towns.
HB 131 - (Carteret) Document draftsmen. Received from House; sent to Judiciary 2.
HB 133 - (Columbus) Whiteville land sale. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: 12 noon, Wednesday, March 8, 1967.

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BULLETIN NO. 20
Tuesday, March 7, 1967

Session: House -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 175 - Introduced by Exum and Love
"To make it unlawful to take or destroy sea turtles or sea turtle eggs during the months of May through September." [Adds GS 113-189 making it unlawful to take, disturb or destroy any sea turtles or their nests or eggs at any time during the months of May, June, July, August and September of each year (punishable, under GS 113-135, by fine of not over $50).] To Wildlife Resources.

HB 176 - Introduced by Mills of Onslow and Chase
"Amending G.S. 105-149(a)(2), pertaining to income tax exemptions, to provide that a wife living with husband may claim a $2,000.00 exemption where the gross income of the husband, less business connected deductions, is $2,000.00 or less." [Amends GS 105-149 to permit wife who furnishes more than one-half support for herself and husband to claim $2,000 exemption when husband's gross income, less business connected deductions (now, simply gross income), is less than $2,000. Retroactive to Jan. 1, 1967 and applicable to returns due after this date.] To Finance.

HB 177 - Introduced by Everett
"To authorize the State Board of Education to establish an extension unit of the North Carolina system of Community Colleges in Martin County and to make appropriations therefor." [Identical with SB 81, digested in the Senate section of today's bulletin.] To Education.

HB 180 - Introduced by Taylor of Transylvania and Jordan
"To amend the Workmen's Compensation Act so as to provide for the payment of compensation and medical benefits for life in epilepsy cases." [Amends GS 97-29 (removing limits on disability compensation in certain cases) and GS 97-41 (referring to payments for life under GS 97-29) to include epilepsy as a cause of total disability from paralysis or loss of mental capacity for which such unlimited benefits can be paid (now, only if such disability is caused by injury to brain or spinal cord).] To Manufacturers and Labor.

HB 181 - Introduced by Andrews
"To amend Article VI of the Constitution of North Carolina so as to authorize the General Assembly to lower the minimum voting age." [Adds proviso to cited section of Constitution authorizing the General Assembly to lower the voting age below 21 but not below 18, and prohibiting persons below 21 from holding office; amendment to be submitted to voters at next general election under laws now governing general elections. Spells out form of ballot. If majority of votes cast favor amendment, Governor to certify amendment to Secretary of State, who shall enroll amendment among permanent records; amendment so certified to be in full force and effect from and after certification.] To Constitutional Amendments.

HR 185 - (Joint Resolution) Introduced by Bunn
"Honoring North Carolina State University at Raleigh on the 80th Anniversary of its founding." [As title indicates.] Passed three readings and sent to Senate.

HB 186 - Introduced by Hamrick and Bailey
"To amend the provisions of G.S. 47-1 so as to require readable names printed or typed under signatures on any documents required or allowed to be filed in the office of the register of deeds." [Amends cited section as title

indicates; documents covered include mortgages, deeds of trust, leases for over three years, powers of attorney, other specified documents affecting land or land titles, and any instruments filed with register of deeds. Effective July 1, 1967.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 178 - (Duplin) Introduced by Johnson

"To amend Chapter 1004 of the 1965 Session Laws as the same applies to Duplin County and its several municipalities." [Amends cited statute (authorizes petition for establishment of, and allocation of proceeds from, municipal liquor control stores in incorporated municipalities of Duplin County) to provide that net profits allocated to municipal general fund be appropriated for any public purposes of the municipality (now governmental purpose) and profits allocated to county general fund be appropriated for any public purpose of Duplin County (now governmental purpose).] To Local Govermment.

HB 179 - (Person) Introduced by Ramsey

"Granting the power of eminent domain and the authority to levy, collect, and expend funds for watershed improvement programs in Person County." [Authorizes county comm'rs to exercise authority under GS Ch. 139, Art. 3 to levy county-wide watershed improvement tax of not over 1¢ on each $100 valuation upon resolution of board and without holding the election provided for under GS 139-39 and GS 139-40. Expenditure of funds derived from special tax is declared to be for special purpose, approved by General Assembly, and a necessary expense. Adds Person to counties which may exercise powers granted by SL 1961, Ch. 794 to acquire land for watershed purposes by eminent domain after first acquiring at least 75% of total number of tracts needed without exercising condemnation power.] To Judiciary 2.

HB 182 - (Buncombe) Introduced by Hutchins

"To levy a tax of two cents (2¢) per package on cigarettes sold from vending machines within the city limits of Asheville." [As title indicates. Requires cigarette vendors to file quarterly report with Asheville Treasurer, commencing Sept. 30, 1967, showing number of cigarettes sold in each machine and other pertinent information. Vendor to pay treasurer amount equal to two cents per package sold. Authorizes city's tax collecting officers to impound vending machines or dispensers until tax paid; authorizes city to adopt ordinances for administration and enforcement of act. Authority here given is in addition to power to levy occupational license tax on operators of cigerette dispensing machines (GS 105-65.1(e)) and power to levy privilege license tax on business of retailing tobacco (GS 105-84). Effective July 1, 1967.] To Finance.

HB 183 - (Carteret) Introduced by Taylor of Carteret, Suggs, and Godwin of Craven

"To confirm, ratify and validate certain conveyances of lands by the Town of Newport, Carteret County." [Validates deed from Newport to Moses C. Howard and exchange of property between Newport and William M. Bell, Jr. and wife.] To Judiciary 2.

HB 184 - (Guilford) Introduced by Edwards, Bowles, Exum, Phillips, Short, and Whitley

"To amend Chapter 164, Private Laws of 1929, relating to the Emergency Reserve Fund of the City of Greensboro." [Amends cited statute as follows: (1) Replaces Sec. 5 providing funds for Emergency Reserve Fund from $2 taxed costs in criminal actions in municipal court where plea of guilty or conviction results, with provision that contributions and other income including interest from investment of capital funds may be paid into fund. (2) Amends Sec. 7 (pension payment for retired officers) to provided that if income received from

investment of capital funds, contributions, and other income is insufficient to pay $100 maximum benefits, remainder needed may be paid from principal of reserve fund subject to limitations of Sec. 11.1, described below. (Now, total to be paid not to exceed 80% of income received during preceding fiscal year; if 80% of income is insufficient to pay minimum of $50 to each person pensioned, after payments to disabled officers and widows and dependents of deceased officers, remainder to be equally prorated among officers pensioned). All amounts received for reserve fund, except payments made in situation of insufficient funds, to become part of capital of reserve fund, and board of directors authorized to set aside sufficient part of reserve fund to cover total current liabilities for those receiving benefits from fund and may use remainder of fund to furnish other needed retirement benefits. (3) Adds new Sec. 11.1 authorizing officers of fund, upon two-thirds vote, to make emergency reserve fund a perpetual retirement fund; fund not to be reduced to amount less than total liability of fund at any given time for retired members and dependents receiving benefits on day of consenting vote; and benefits shall be those contained in Sections 6 and 7 except that board may raise maximum benefits to not exceeding 100% of those offered. If perpetual retirement fund is created, board, through assessments levied against membership of fund and income from contributions and investment return, is to provide income to meet current obligations of fund and may provide reasonable amount equivalent to portion of liability of fund from balance of income received, to be allocated to capital reserve fund for current year, such amount to be determined by board upon actuarial recommendation of accredited actuarial firm; study to be at discretion of board but lapse between actuarial studies not to exceed five years.] To Finance.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 27 - Guardian bonds. Received from Senate; sent to Judiciary 1.
SB 28 - Administrator bonds. Received from Senate; sent to Judiciary 1.

HB 7 - Trout fishing licenses. Passed second and third readings.
HB 51 - Damaging occupied property. Postponed to March 8.
HB 52 - Governor reward increase. Amended to delete requirement that suspect for whom reward is offered be outside the State, concealed within the State or escaped following conviction. Passed second reading.
HB 53 - Cross burning penalty. Postponed to March 8.
HB 113 - Prosecutor's mercy. Reported favorably.
HR 122 - (Joint Resolution) Zoo Study Commission. Reported favorably.
HB 149 - Secret society disguises. Reported favorably.
HR 185 - (Joint Resolution) Honoring NC State University. Passed three readings.

LOCAL BILLS

HB 145 - (Pitt) Ayden corporate limits. Passed.

BILLS RATIFIED

SB 55 - (Edgecombe) Tarboro ward lines. [Ch. 23]
SR 66 - (Joint Resolution) Memorializing Strickland. [R. 15]

HB 10 - (Columbus) Lake Waccamaw charter. [Ch. 14]
HB 21 - (Gaston) Mount Holly zoning. [Ch. 15]
HB 35 - Motor vehicle point system. (House committee substitute 2/24) [Ch. 16]
HB 41 - Technical amendments. [Ch. 24]
HB 42 - General Statutes Commission. [Ch. 17]
HB 46 - Officers of Assembly pay, as amended in Senate 3/6. [Ch. 25]

HB 55 - Historic Murfreesboro Commission. [Ch. 18]
HB 57 - (Wake) Raleigh dedication powers. [Ch. 26]
HB 62 - Liberalizing adoption process, as amended in House 2/22. [Ch. 19]
HB 72 - (Bertie) Aulander comm'rs increased, as amended in House 2/23. [Ch. 20]
HB 73 - (Bertie) Aulander beer limit lifted. [Ch. 21]
HB 90 - (Gaston) Cherryville extra zoning. [Ch. 22]
HR 152 - (Joint Resolution) Memorializing Johnson. [R.16]
HR 154 - (Joint Resolution) Memorializing Spruill. [R.17]

Next session of House: 12 noon, Wednesday, March 8, 1967.

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INSTITUTE OF GOVERNMENT

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 21

Wednesday, March 8, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 82 - Introduced by Allsbrook and others

"To create and establish East Carolina University." [Adds new Art. 2A to GS Ch. 116, creating East Carolina University (ECU) to succeed East Carolina College (ECC). Provides for ECU to constitute one of the universities of the State; to be financially supported by State appropriations in addition to other funds; to provide undergraduate and graduate instruction in liberal arts, fine arts and sciences, and learned professions, and research in liberal arts and sciences, pure and applied; to provide other programs to meet needs of its constituency and the State; to engage in extension activities; and to confer all university and college degrees including doctor's degrees, with consent of its trustees and subject to authority of NC Board of Higher Education. Vests government of ECU in 12-man board of trustees serving 8-year staggered terms, to be elected by joint ballot of both houses of General Assembly; present ECC trustees continued for unexpired terms; General Assembly to elect three trustees each biennium beginning 1967. Trustees to have all powers and duties of boards of trustees under GS 116-46, and same statutory powers as UNC at Chapel Hill.

Makes conforming changes in various laws pertaining to ECC and UNC as follows: Deletes reference in GS 116-2(a) to the UNC as the only university primarily dependent on State support. Amends GS 116-15 to provide that UNC shall "engage in research in the liberal arts and sciences, pure and applied" (now, "shall be the primary" agency for such research); and to delete provision that UNC shall be only institution authorized to award doctor's degrees. Deletes references to ECC in GS 116-45(1) and in heading for Article 2. Changes references from ECC to ECU in GS 116-46.4 (school of medicine at ECC). Identical with HB 198.] To Higher Education.

SB 83 - Introduced by Whitehurst

"To allow substitute school teachers a deduction for summer school expenses for income tax purposes." [Adds substitute teachers to those permitted under GS 105-147(3) to deduct from net income in computing State income taxes, their ordinary and necessary expenses for purpose of attending summer school in accredited college or university. (Deduction now applies to teachers, principals, and sup'ts). Effective for all income years beginning on or after Jan. 1, 1967.] To Finance.

SB 85 - Introduced by Buchanan
"To exempt North Carolina from the Federal Act making Daylight Savings Time mandatory." [Exempts North Carolina from Sec. 3(a) of U.S. Public Law 89-387 (Uniform Time Act of 1966), so that State will continue to observe standard time.] To Manufacturing, Labor and Commerce.

SR 86 - (Joint Resolution) Introduced by Harrington
"Endorsing the observance of National Peanut Week." [As title indicates. Identical with HR 187.] Passed three readings and sent to Senate.

SR 87 - (Senate Resolution) Introduced by Nielson
"To change certain rules of the Senate." [Deletes clause of Senate Rule 33(b) prohibiting requirement of roll call vote in any committee. Adds clause to Rule 36 to permit executive sessions of committees and subcommittees only with prior approval by majority of quorum of Senate in roll call vote, and deletes reference to "inherent right" of committees and subcommittees to hold executive sessions.] To Rules.

LOCAL BILLS INTRODUCED -- SENATE

SB 84 - (Henderson) Introduced by Buchanan
"To increase the membership of the City Board of Education of Hendersonville, North Carolina." [As title indicates increases board membership to seven members, (now six). Additional members may be appointed by Board of Comm'rs of Hendersonville after ratification of Act, for term expiring July 1, 1969.] To Local Government.

SENATE CLAENDAR ACTION

PUBLIC BILLS

SB 3 - Continuing teacher contracts. Postponed to March 9.
SB 36 - Law-Order Committee. Reported favorably as amended.
SB 61 - Space Board name change. Reported favorably.
SB 76 - Revolution Commission. Reported favorably.
SB 77 - Good Neighbor Council (Iden HB 157). Reported favorably.
SR 86 - (Joint Resolution) Endorsing Peanut Week (Iden HR 187). Passed second and third readings.
HB 7 - Trout fishing licenses. Received from House; sent to Wildlife.
HB 69 - Counsel fees in receiverships. Passed second and third readings.
HB 96 - Disputed boundary surveys. Passed second and third readings.
HR 185 - (Joint Resolution) Honoring NC State University. Received from House; passed second and third readings.
HR 187 - (Joint Resolution) Endorsing Peanut Week (Iden. SR 86). Received from House; passed second and third readings.

LOCAL BILLS

HB 145 - (Pitt) Ayden corporate limits. Received from House; sent to Local Gov't.

BILLS RATIFIED

HB 19 - (Pamlico) Grand jurors. [Ch.27]
HB 28 - (Rutherford) Jury trials. [Ch. 28]
HB 48 - (Pasquotank) School board consolidation, as amended in House 2/24.[Ch.29]
HB 49 - (Chowan) School board consolidation, as amended in House 2/17 and 2/24. [Ch. 30]

Next session of Senate:12 noon, Thursday, March 9, 1967.

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BULLETIN NO. 21
Wednesday, March 8, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 187 - (Joint Resolution) Introduced by Jernigan and others
"Endorsing the observance of National Peanut Week." [Identical with SB 86, digested in the Senate section of today's bulletin.] Passed three readings and sent to Senate.

HB 188 - Introduced by Ervin
"Making it a felony to commit an assault with a deadly weapon resulting in serious injury even though there is no intent to kill." [Adds new GS 14-32.1 making it a felony for any person to assault another with a deadly weapon inflicting serious injury not resulting in death. Sets punishment at not more than five years imprisonment.] To Judiciary 1.

HB 189 - Introduced by Ervin
"Making it a felony to commit an assault with a deadly weapon with intent to kill even though there is no serious injury. [Adds GS 14-32.2 to make assault with a deadly weapon with intent to kill a felony, punishable by imprisonment for not more than five years.] To Judiciary 1.

HB 190 - Introduced by Ervin
"To rewrite G.S. 14-33 so as to make certain assaults misdemeanors." [Generally rewrites GS 14-33 making various changes. Title becomes "Assaults punishable as misdemeanors" (now "Punishment for assault"). Includes as assaults punishable as misdemeanors in the discretion of the court (referred to as "general misdemeanors"): assault by male or female (now included only if male over 18 years); assault on person under 12 years (now only if assailant is 18 years or older); assault likely to produce serious damage to the victim; assault upon a public officer while discharging or attempting to discharge a duty of his office. Also continues as assaults punishable as misdemeanors in the discretion of the court assault with deadly weapon, assault without deadly weapon inflicting serious damage, and assault without deadly weapon with intent to kill. Deletes direct reference to assault with intent to commit rape as such a misdemeanor. Provides for designation of assaults not designated as "general misdemeanors" or felonies as simple assaults punishable by imprisonment of not more than 30 days or fine of not more than $50 in the discretion of the court (no change of substance). Deletes reference to competency of evidence of prior threats by alleged victim against defendant when defendant claims self-defense.] To Judiciary 1.

HB 191 - Introduced by Love
"To amend Chapter 147 of the General Statutes with respect to the investment of surplus state funds." [Rewrites portion of GS 147-69.1 which sets out types of investments which Governor and State Treasurer, with approval of Council of State, may make with surplus state funds, as follows: (1) in bonds, notes, certificates of indebtedness and bills of USA or in obligations fully guaranteed by USA; (2) in bonds, notes and other obligations of Federal Intermediate Credit Banks, Federal Home Loan Banks, Federal National Mortgage Association, Banks for Cooperatives, and Federal Land Banks; (3) in bonds and notes of the State of North Carolina; or (4) in certificates of deposit issued by banks or official depositories within State, yielding rates not less than US treasury bonds, notes, certificates of indebtedness or bills of comparable maturities. (Now, authorizes deposit with official State depository, or investment in US bonds, certificates of indebtedness or Treasury bills; obligations of US agencies guaranteed by US; bonds or notes of State of NC;

or certificates of deposit of banks or official depositories within NC yielding not less than US Treasury notes and certificates of comparable maturities). Amends GS 147-69 by deleting portion which authorizes Governor and Council of State to control and fix rate of interest on deposits of state money in banks.] To Finance.

HB 192 - Introduced by Taylor of Transylvania and Jordan

"To amend Chapter 35, Article 7, of the General Statutes relating to the sterilization of epileptics. [Amends GS 35-36 (state institutions authorized to sterilize mentally diseased, feebleminded or epileptic inmates or patients), GS 35-37 (sterilization of mentally diseased, feebleminded or epileptics not in institutions), GS 35-38 (operation to be performed by qualified and registered NC physician on proper order), GS 35-39 (designates prosecutors and his duties in proceedings leading to sterilization order) and GS 35-57 (admission to State hospitals for sterilization) by deleting from all four statutes all references to epileptics, so that epileptics are no longer subject to sterilization or the proceedings leading thereto.] To Judiciary 1.

HB 197 - Introduced by Bailey and Hamrick

"To amend G.S. 161-22 so as to authorize indexing deeds of trust in name of grantor and trustee only." [Adds provision to GS 161-22 authorizing register of deeds to index deeds of trust in name of grantor and trustee only, notwithstanding any other provision of law.] To Judiciary 1.

HB 198 - Introduced by Rountree and others

"To create and establish East Carolina University." [Identical with SB 82, digested in the Senate section of today's bulletin.] To Higher Education.

HB 199 - Introduced by Taylor of Carteret

"To authorize the State Board of Health to regulate sanitary aspects of harvesting, processing, and handling scallops." [Amends Ch. 130 of General Statutes by redesignating Art. 14B (Swimming Pools) as Art. 14C and inserting a new Art. 14B entitled "Sanitation of Scallops", and providing as follows: Authorizes State Board of Health to make and enforce regulations concerning sanitary aspects of harvesting, processing and handling scallops. Board may issue and revoke permits, regulate or restrict activities relating to sanitation of scallops and exercise all other powers granted within Ch. 130 pertaining to scallops. Authorizes Board of Health and Department of Conservation and Development to enter agreement respecting duties and responsibilities of each agency as to harvesting, processing, and hadling scallops. Act does not deprive Department of Conservation and Development of authority to regulate aspects of treating scallops relating to conservation of fisheries resources in State, nor deprive Board of Health of authority as to sanitation generally or as to control of harvesting, processing and handling of other foods. Appropriates $23,472.00 from General Fund to Board for 1967-69 biennium to implement act. Persons have four months to comply with regulations adopted by Board from and after date such regulations are first adopted. Persons beginning regulated activity after regulations are adopted must comply immediately. Effective July 1, 1967.] To Commercial Fisheries.

LOCAL BILLS INTRODUCED -- HOUSE

HB 193 - (Buncombe) Introduced by Greenwood and Harkins

"To authorize the Board of County Commissioners of Buncombe County to call a special or general election to authorize the levy of an additional supplemental tax of forty cents on each one hundred dollars valuation of

taxable property in Buncombe County to provide for the construction, maintenance, support, and operation of the public schools of the City of Asheville and County of Buncombe." [As title indicates. No new registration authorized. Special approval of General Assembly to tax is granted. If voters approve, levy may be for taxable year after such election and tax collected is to be apportioned between Buncombe Board of Education and Asheville City Board on per capita enrollment basis as determined by State Board of Education. Buncombe Board may use its part of new supplement for construction or improvement of school buildings or other capital expenditures; other taxes collected to be used to supplement any item of expenditure in school budgets. If voter approval not obtained, present supplemental school tax authority not impaired. Election may be held any time prior to Jan. 1, 1968.] To State Government.

HB 194 - (Buncombe) Introduced by Greenwood and Harkins
"To authorize the Board of County Commissioners of Buncombe County to appropriate for the use of Eliada Home for Children in Buncombe County a sum not in excess of ten thousand dollars per year." [As title indicates; limits authority to 1967-69 biennium.] To State Government.

HB 195 - (Johnston) Introduced by Britt and Woodard
"To correct and confirm the corporate limits of the town of Kenly." [Rewrites portion of Priv. L. 1909, Ch. 185 which describes the corporate limits of Kenly by metes and bounds; ratified all acts of mayor and board of commissioners taken prior to effective date of this act.] To Judiciary 2.

HB 196 - (Pamlico) Introduced by Godwin, Sugg and Taylor
"To repeal GS 51-8.1, relating to non-residents applying for marriage license forty-eight hours before issuance in Pamlico County." [Repeals cited section which prohibits the register of deeds from issuing a marriage license to nonresidents of State unless the application for license has been on file in register's office for at least forty-eight hours. (The cited section applies only to Pamlico County.)] To Judiciary 1.

HB 200 - (Pamlico) Taylor, Sugg and Godwin
"To amend GS 47-17.1, so as to require documents and papers to be probated and recorded to designate the draftsman thereof in Pamlico County." [Adds Pamlico County to list of counties subjectto GS 47-17.1 (requiring that CSC accept for probate and recordation only documents (except for holographic wills) with cover page thereof carrying signature of draftsman).] To Judiciary 2.

HB 201 - (Craven) Introduced by Sugg, Taylor and Godwin
"To amend GS 47-17.1, so as to require documents and papers to be probated and recorded to designate the draftsman thereof in Craven County." [Adds Craven County to list of counties subject to GS 47-17.1 applies (requiring that CSC accept for probate and recordation only documents (except for holographic wills) with cover page thereof carrying signature of draftsman).] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 47 - Roanoke-Chowan Tech. Reported favorably; re-referred to Appropriations.
HB 51 - Damaging occupied property. Passed second and third readings.
HB 52 - Governor reward increase, as amended in House 3/7. Passed third reading.
HB 53 - Cross burning penalty. Passed second and third readings.
HB 82 - Edgecombe Technical Institute. Reported favorably as amended. Amended to change appropriation to $119,800 for fiscal year 1967-68 and $14,894 for fiscal year 1968-69 to equip unit; and to $110,270 for fiscal year

1967-68 and $140,970 for fiscal year 1968-69 to operate unit. (Originally $116,200 for fiscal year 1967-68 and $94,700 for fiscal year 1968-69, to equip and operate unit.) Re-referred to Appropriations.

HB 105 - Highway plans recording. Reported favorably as amended.
HB 111 - No clam lease. Reported favorably.
HB 113 - Prosecutor's mercy. Postponed to March 14.
HR 122 - (Joint Resolution) Zoo Study Commission. Passed three readings.
HB 129 - Bed-board divorce. Passed third reading.
HB 149 - Secret society disguises. Passed second and third readings.
HR 187 - (Joint Resolution) Endorsing Peanut Week. Passed three readings.

LOCAL BILLS

SB 26 - (Onslow) Law library. Passed.
HB 99 - (Guilford) Municipal-county judge pay. Passed.
HB 130 - (Carteret) Surfing regulation. Passed.
HB 158 - (Mecklenburg) Land conveyance ratified. Passed.

Next session of House: 11:45 a.m., Thursday, March 9, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 22

Thursday, March 9, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 88 - Introduced by Norton and others

"To amend Chapter 163 of the General Statutes of North Carolina so as to require that all counties adopt a modern loose-leaf registration book system of voters." [Purports to amend GS 163-65(a) and (c) and GS 163-67(b) as they are now set out in the General Statutes (the sections as they now appear deal with inapposite subjects and are not broken into lettered sub-paragraphs) but apparently intends to amend the cited sections as they will appear in the General Statutes if the pending recodification (SB 67) of the election laws is enacted. For purposes of this digest, SB 67 is treated as the present law. Amends GS 163-65(a) to require county boards of elections to install loose-leaf registration book systems in all precincts prior to Jan. 1, 1970. Provides that this requirement not to be taken to alter power of board to establish full-time system of registration as provided in GS 163-67(b). Gives State Board of Elections (SBE) authority to approve types, sizes and kinds of binders to be used for the loose-leaf registration system; such binders to be purchased by counties. Requires SBE to furnish uniform registration sheets for binders from funds provided by State Contingency and Emergency Fund. Requires chairman of county board of elections to maintain at all times in safe place one or more duplicates of each such registration sheet. Amends GS 163-65(c) (providing that in counties with full-time and permanent registration, application to register to become official registration certificate when approved by county board of elections) to make it applicable to those counties with loose-leaf registration systems. Amends GS 163-67(b) (giving county board of elections power to establish full-time system of registration) to refer to loose-leaf system as "required" rather than as "permitted". Identical with HB 205.] To Election Laws and Legislative Representation.

SB 89 - Introduced by Boger and Griffin

"To regulate and restrict transportation and possession of alcoholic beverages, as defined in G.S. 18-64." [Adds proviso to GS 18-66 making it misdemeanor to transport or possess beverages listed in GS 18-64 (beer and similar beverages and unfortified wines) in a motor vehicle upon public street or highway except in original unopened container in which beverages were purchased. Sets penalty at fine not in excess of $50.00 or imprisonment for not less than 30 days. Identical with HB 215.] To Propositions and Grievances.

SR 90 - (Joint Resolution) Introduced by Rauch and White of Cleveland
"Congratulating and commending the coach and players of the Ashley High School boy's basketball team for their performance and sportmanship in winning the State 4A conference basketball championship." [Identical with HR 202, digested in the House section of today's bulletin.] Passed three readings and sent to House.

SB 91 - Introduced by Bagnal and others
"To amend Article VI of the Constitution of North Carolina so as to reduce the time of residence of voters to four months." [Amends Art. VI, Sec. 2 of Constitution by making voter residency requirement in State four months (now one year). Amendment to be submitted to voters at next general election under laws now governing general elections. Spells out form of ballot. If majority of votes cast favor amendment, Governor to certify amendment to Secretary of State, who shall enroll amendment among permanent records; amendment so certified to be in full force and effect from and after certification.] To Constitution.

SR 92 - (Joint Resolution) Introduced by Nielson and Bagnal
"Requesting the State Board of Education to continue, for the next biennium, the North Carolina Advancement School in Winston-Salem under the same administrative organization and philosophy under which it has prospered from its beginning to the present time." [Identical with HR 204, digested in the House section of today's bulletin.] To Education.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 3 - Continuing teacher contract. Passed third reading.
SB 36 - Law-Order Committee. Amended to provide two alternates (rather than one) to Committee from both the NC Association of Chiefs of Police and NC Sheriffs' Association and to include Commissioner of Motor Vehicles on Committee. Floor amendment adopted adding to membership one District Solicitor appointed by Governor. Passed second and third readings.
SB 61 - Space Board name change. Passed second and third readings.
SB 76 - Revolution Commission. Passed second and third readings.
SB 77 - Good Neighbor Council. Floor amendment adopted changing name to "Council on Human Relations". Re-referred to Appropriations.
SR 90 - (Joint Resolution) Honoring Ashley hoopsters. Passed three readings.
HB 51 - Damaging occupied property. Received from House; sent to Judiciary 2.
HB 52 - Governor reward increase, as amended in House 3/7. Received from House; sent to Judiciary 2.
HB 53 - Cross burning penalty. Received from House; sent to Judiciary 2.
HR 122 - (Joint Resolution) Zoo Study Commission. Received from House; sent to State Government.
HB 129 - Bed-board divorce. Received from House; sent to Judiciary 1.
HB 149 - Secret society disguises. Received from House; sent to Judiciary 2.
HR 202 - (Joint Resolution) Honoring Ashley hoopsters. Received from House; passed second and third readings.
HR 203 - (Joint Resolution) Sharp for Supreme Court. Received from House; passed second and third readings.

LOCAL BILLS

SB 46 - (Transylvania) Brevard ordinances. Passed.
HB 99 - (Guilford) Municipal-county judge pay. Received from House; sent to Salaries and Fees.
HB 101 - (Pasquotank) Elizabeth City late taxes. Passed.
HB 108 - (Guilford) Fire protection funds. Passed.
HB 110 - (Rowan) Rockwell aldermen election. Passed.
HB 130 - (Carteret) Surfing regulation. Received from House; sent to Conservation and Development.
HB 133 - (Columbus) Whiteville land sale. Passed.
HB 158 - (Mecklenburg) Land conveyance ratified. Received from House; sent to Public Roads.

BILLS RATIFIED

SB 26 - (Onslow) Law library. [Ch. 31]
HB 69 - Counsel fees in receiverships. [Ch. 32]
HB 96 - Disputed boundary surveys. [Ch. 33]
HR 185 - (Joint Resolution) Honoring NC State University. [R 18]
HR 187 - (Joint Resolution) Endorsing Peanut Week. [R 19]

Next session of Senate: 10:00 a.m., Friday, March 10, 1967.

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BULLETIN NO. 22
Thursday, March 9, 1967

Session: House -- 11:45 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 202 - (Joint Resolution) Introduced by Stewart
"Congratulating and commending the coach and players of the Ashley High School boys' basketball team for their performance and sportsmanship in winning the State 4A Conference basketball championship." [As title indicates. Identical with SR 90.] Passed three readings and sent to Senate.

HR 203 - (Joint Resolution) Introduced by Staton and others
"Memorializing the President of the United States to appoint Associate Justice Susie Marshall Sharp to the Supreme Court of the United States." [As title indicates; directs Secretary of State to send copies of resolution to US President and NC Congressmen.] Passed three readings and sent to Senate.

HR 204 - (Joint Resolution) Introduced by Ingle and others
"Requesting the State Board of Education to continue, for the next biennium, the North Carolina Advancement School in Winston-Salem under the same administrative organization and philosophy under which it has prospered from its beginning to the present time." [As title indicates; requests State Board of Education to provide 1.8 million dollars for operation of school during next biennium. Directs Secretary of State to send copies of resolution to Governor, Chairman of Board, Director of Learning Institute and Director of school. Identical with SR 92.] To Education.

HB 205 - Introduced by Barbee and others
"To amend Chapter 163 of the General Statutes of North Carolina so as to require that all counties adopt a modern loose-leaf registration book system of voters." [Identical with SB 88, digested in the Senate section of today's bulletin.] To Elections and Election Laws.

HB 206 - Introduced by Johnson of Duplin
"To exempt North Carolina from the Federal Act making daylight savings time mandatory." [Exempts North Carolina from Sec. 3(a) of U. S. Public Law 89-387 (Uniform Time Act of 1966), so that State will continue to observe standard time. Identical with SB 85.] To Manufacturers and Labor.

HB 207 - Introduced by Roberson and Burrus
"To authorize the State Board of Education to convert the Washington-Beaufort Extension Unit to a technical institute and to make appropriations therefor." [As title indicates; authorizes conversion of extension unit to a technical institute, as defined in GS 115A (providing for community colleges, technical institutes, and industrial education centers). Appropriates from General Fund to State Board of Education for fiscal year 1967-68, $83,381 for equipment and $68,445 for current operating expenses; for fiscal year 1968-69, $75,164 for equipment and $93,239 for current operating expenses. Conversion contingent on approval by county election of special tax sufficient to provide local financial support of technical institute as required by GS 115A (providing for special annual levy for specified capital outlay and current operating expenses within maximum rate approved by majority of qualified voters).] To Education.

HB 208 - Introduced by Phillips and others
"To provide for research studies on the insect and disease pests of ornamental crops in North Carolina." [Appropriates to the North Carolina

Agricultural Experiment Station from the State General Fund for purposes indicated by title as follows:

	1967-68	1968-69
Entomological Research		
1. Personnel		
a. Professional	$12,000	$12,000
b. Sub-professional (technical)	7,000	7,000
2. Maintenance and Operation	11,000	11,000
Plant Pathological Research		
1. Personnel		
a. Professional, Research Assistants (two)	6,000	6,000
b. Sub-professional (technical)	7,000	7,000
2. Maintenance and Operation	7,000	7,000
Total	$50,000	$50,000

Expenditures from these funds shall be accounted for and reported to fiscal and financial system of Station.] To Agriculture.

HB 209 - Introduced by Hill

"To amend Article 3, Chapter 18, of the General Statutes, so as to permit the transportation, possession and consumption of alcoholic beverages for personal use." [Adds GS 18-58.1 to legalize possession and transportation of up to one gallon of alcoholic beverages (defined as any alcoholic beverage containing more than 14% alcohol by volume) obtained from ABC store within NC or from lawful source outside NC, whether seal is broken or unbroken, in any county or municipality within NC which beverage is for possessor's personal consumption or consumption of his family and bona fide guests. Makes unlawful transportation of alcoholic beverages in passenger area of motor vehicle when cap or seal on container or containers has been opened or broken and prohibits any person from drinking or offering to another, whether accepted or not, alcoholic beverages at an ABC store or upon premises used or occupied by ABC Board, or on any public road, highway or street. Further prohibits intoxication in public place, to make public display of alcoholic beverages at athletic contest, or to sell alcoholic beverages to minor or for minor to purchase, possess, transport or consume alcoholic veverages. Violation of any of the prohibitions set out above constitutes a misdemeanor, punishable in discretion of court. Legalizes providing of facilities for storage and consumption of alcoholic beverages by any corporation or association that is a club organized and operated solely for purposes of social, recreational, patriotic, or fraternal nature and not for pecunicary profit, and which is the owner, lessee, or occupant of such premises. Consumption and storage limited to club members for their personal use and bona fide guests in quantities not to exceed one gallon for each club member. Alcoholic beverages to be stored only in lockers, compartments, or other receptacles bearing name of club member owning the alcoholic beverage contained therein; such compartment to be locked with access only to club member owning beverages therein. Makes misdemeanor, punishable in discretion of court, the possession or consumption of alcoholic beverages on premises of another when owner, lessee, or operator of premises prominently displays thereon notice to effect that possession and consumption of beverages is forbidden upon premises. Makes unlawful for any person to possess or consume alcoholic beverages on premises of any business operated for profit that holds permit from ABC Board for sale of beer or wine, unless llcensed premises has dining area with seating capacity for at least 50 persons, kitchen facilities, and is primarily engaged in preparation and serving of meals. Act not to apply to, or regulate possession, sale, manufacture or transportation of beer, wines, or ales containing a alcoholic content of 14% or less.] To Propositions and Grievances.

HB 211 - Introduced by Ingle

"To amend Article VI of the Constitution of North Carolina so as to reduce the time of residence of voters to six months." [Amends Art. VI, Sec. 2 of Constitution by making voter residency requirement in State six months (now one year). Amendment to be submitted to voters at next general election under laws now governing general elections. Spells out form of ballot. If majority of votes cast favor amendment, Governor to certify amendment to Secretary of State, who shall enroll amendment among permanent records; amendment so certified to be in full force and effect from and after certification.] To Constitutional Amendments .

HB 212 - Introduced by Short and Whitley of Guilford

"To provide a hearing before suspension of operator's license of provisional licensees who are convicted of one motor vehicle moving violation in connection with an accident resulting in personal injury or property damage of one hundred ($100.00) dollars or more." [Amends GS 20-13 by deleting subsection (b)(4) (providing Dept. of Motor Vehicles without preliminary hearing shall suspend provisional licensees for 60 days upon conviction of violation in connection with motor vehicle accident resulting in personal injury or property damage of $100 or more). Adds new GS 20-13.1 providing that Dept. of Motor Vehicles may suspend license of provisional licensees (a licensee who has not attained 18th birthday) for 60 days upon conviction of violation in connection with motor vehicle accident resulting in personal injury or property damage of $100 or more but that upon doing so licensee must be immediately notified in writing and, upon his request, be given hearing within 20 days of request in county where he resides or at place mutually agreed. At hearing dept. may administer oaths, subpoena witnesses and documents and require re-examination and it may rescind, modify, affirm or, for good cause shown, extend the period of suspension.] To Highway Safety.

HB 214 - Introduced by Britt of Johnston and others

"To provide for contribution among joint tortfeasors and joint obligors." [Adds new GS Ch. 1B entitled "Contribution". Art. 1, to be cited as "Uniform Contribution Among Tortfeasors Act", provides: (1) right of contribution where two or more persons become jointly or severally liable in tort for same injury to person or property or for same wrongful death even though judgment has not been recovered against any or all of them; (2) right of contribution exists only in favor of tortfeasor who pays more than his pro rata share of common liability with total recovery limited to amount paid by tort feasor in excess of his pro rata share, and no tortfeasor compelled to contribute beyond his own pro rata share of entire liability; (3) no right of contribution in favor of tortfeasor who intentionally causes or contributes to injury or wrongful death; (4) no right of contribution in favor of tortfeasor entering into settlement with claimant if other tortfeasor's liability for injury or wrongful death isn't extinguished or as to any amount paid in unreasonable settlement; (5) liability insurer succeeds to tortfeasor's right of contribution to extent of amount it has paid in excess of tortfeasor's pro rata share of common liability without limitation or impairment of right of subrogation arising from any other relationship; (6) right of indemnity under existing law isn't impaired and right of contribution inapplicable to breaches of trust or other fiduciary obligation. Sets out how pro rata shares of tortfeasors in entire liability are to be determined and how and when contribution may be enforced. Sets out effect of release or covenant not to sue.

Art. 2 entitled "Judgment Against Joint Obligors or Joint Tortfeasors", provides: (1) where judgment rendered against two or more persons or corporations who are jointly and severally liable for payment either as joint obligors or joint tortfeasors and it has not been paid by all judgment debtors by each paying pro rata share, if one or more of judgment debtors pays judgment creditor (either before or after execution has been issued) full amount due and enters on judgment

docket notation of preservation of right of contribution, notation will preserve lien and keep judgment in full force as against any judgment debtor failing to pay his pro rata share to extent of his liability; (2) manner in which notation of preservation of right of contribution is entered on judgment docket, and (3) method of determining shares upon disagreement by judgment debtors as to their pro rata liability.

Art. 3, entitled "Cross Claims and Joinder of Third Parties for Contribution," allows a joint tortfeasor who is a party to an action to file a cross claim for contribution or indemnity from any other joint tortfeasor who is a party; and sets out manner by which third party plaintiff may serve person not a party to action who is or may be liable to him for all or part of plaintiff's claim against him, and manner by which third party defendant may make defense and file counterclaim against third party plaintiff and cross-claims against other third-party defendants. Repeals GS 1-240 (providing for contribution among joint tortfeasors or joint obligors). Effective July 1, 1968.] To Judiciary 2.

HB 215 - Introduced by Vogler

"To regulate and restrict transportation and possession of alcoholic beverages, as defined in G.S. 18-64." [Identical with SB 89, digested in the Senate section of today's bulletin.] To Propositions and Grievances.

LOCAL BILLS INTRODUCED -- HOUSE

HB 210 - (Alamance) Introduced by Pickard

"To amend Section 5(a) and Section 8(a) of Chapter 500 of the 1961 Session Laws relating to the Burlington-Graham Alcoholic Beverage Control stores." [Amends cited statute (providing for Burlington and Graham ABC stores) to provide that Graham City Council may determine by ordinance what percentage of sum paid to city from profits of such stores may be used for recreational purposes (now, use for recreational purposes restricted to 2-10% of such payments).] To Propositions and Grievances.

HB 213 - (Cumberland) Introduced by Bryan, High, and O'Hanlon

"To authorize the governing body of the City of Fayetteville to offer and pay rewards for information leading to the arrest and conviction of persons injuring or damaging municipal property or injuring municipal employees and officers." [Authorizes governing body of Fayetteville to offer and pay reward not exceeding $500 out of non-tax revenues on such terms and to such persons as may be determined in its sole discretion for information leading to arrest and conviction of any person or persons who willfully deface, damage, destroy any property or take personal property belonging to or under control of city or who willfully injure or kill any city employee or officer while such person is engaged in performance of his official duties.] To Counties, Cities and Towns.

HB 216 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter, and Jones

"To authorize the City of Charlotte to acquire an entire structure when it is severed by street right of way." [Permits City of Charlotte to condemn or purchase entire building any part of which must be taken because of proposed right of way of street or highway when city has determined, on basis of affidavit of independent real estate appraiser, that partial taking will substantially destroy economic value or utility of building and has determined either that: (1) economy in expenditure of public funds will be promoted or (2) it is not feasible to cut off portion of building without destroying entire building or (3) convenience, safety, or improvement of street or highway will be promoted. Provides that this power does not give city power to condemn any underlying fee lying outside proposed right-of-way.] To Counties, Cities and Towns.

HB 217 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter of Mecklenburg, and Jones.

"To amend G.S. 143-129 relating to the letting of public contracts by the City of Charlotte." [Amends GS 143-129 to provide that contract procedures specified by section must be followed in Charlotte for purchase of apparatus, supplies, materials, or equipment requiring an estimated expenditure of public money in an amount equal to or more than $3,000 (now, $2,000).] To Counties, Cities and Towns.

HB 218 - (Lee) Introduced by Love and Staton

"To authorize the holding of courts inferior to the Superior Court and the location of county offices in the courthouse annex or other buildings in Lee County." [Authorizes Board of Commissioners to designate Lee County Courthouse Annex or other buildings in Sanford for holding of courts inferior to superior court. Authorizes Board to locate any county office in Annex or any building in County.] To Courts and Judicial Districts.

HB 219 - (Lee) Introduced by Love and Staton

"To authorize the Board of County Commissioners of Lee County to draw additional jurors for criminal and civil sessions of Superior Court." [Adds paragraph to GS 9-4 (enumerating local modifications for drawing jury panels) permitting Lee County Board of Commissioners to draw as many as 75 jurors for each criminal, civil, or mixed session of Superior Court.] To Courts and Judicial Districts.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 27 - Guardian bonds. Reported favorably.
SB 28 - Administrator bonds. Reported favorably.
SR 86 - (Joint Resolution) Endorsing Peanut Week. Received from Senate; sent to Conservation and Development
HB 93 - Fuel tax rebate. Reported favorably as amended.
HB 105 - Highway plans recording. Amended to provide that SHC need provide Register of Deeds certified copy of cover sheet, plan, and profile sheet of final right of way plans only for project for which plans are prepared. Passed second reading.
HB 111 - No clam lease. Postponed to March 15.
HB 120 - Bond-water contract limits. Reported favorably.
HB 138 - Jury's capital recommendation. Reported favorably.
HB 144 - Gambling surveillance repeal. Reported favorably.
HB 157 - Good Neighbor Council. Reported favorably.
HR 202 - (Joint Resolution) Honoring Ashley hoopsters. Passed three readings.
HR 203 - (Joint Resolution) Sharp for Supreme Court. Passed three readings.

LOCAL BILLS

SB 24 - (Union) Trash regulation. Passed.
HB 107 - (Robeson) Red Springs delinquent taxes. Passed.
HB 109 - (Davidson) Lexington catwalk. Passed.
HB 125 - (Lee) Sanford elections. Amended to delete phrase "the term of office of the Mayor and Aldermen shall be four (4) years." Passed.
HB 126 - (Lee) Mileage allowance. Passed.
HB 161 - (Hoke) Ass't tax supervisors. Passed.
HB 162 - (Hoke) Commissioners meeting place. Passed.
HB 163 - (Wayne) Town-county merger. Passed.
HB 167 - (Guilford) Greensboro charter amendments. Passed.
HB 178 - (Duplin) ABC revenue uses. Passed.
HB 193 - (Buncombe) School supplement increase. Amended to provide that supplemental tax shall not be more than 40¢. Re-referred to Finance.

Next session of House: 10:00 a.m., Friday, March 10, 1967.

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DAILY BULLETIN

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BULLETIN NO. 23

Friday, March 10, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 94 - Introduced by Currie
"To appropriate funds for the operation of the Law School of North Carolina College at Durham." [Appropriates from General Fund $85,000 for continuance of operation of North Carolina College Law School at Durham for fiscal year 1968-69. Identical with HB 226.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 93 - (New Hanover) Introduced by Burney
"To amend Chapter 284, Session Laws of 1947, relating to the game of bingo in New Hanover County." [Adds to S.L. 1947, Ch. 284 provision making it lawful for any patriotic or fraternal club or association to play or operate game of Bingo in clubhouse or meeting rooms.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

None

LOCAL BILLS

HB 107 - (Robeson) Red Springs delinquent taxes. Received from House; sent to Counties, Cities and Towns.
HB 109 - (Davidson) Lexington catwalk. Received from House; sent to Counties, Cities and Towns.
HB 126 - (Lee) Mileage allowance. Received from House; sent to Counties, Cities and Towns.
HB 131 - (Carteret) Document draftsmen. Passed.
HB 161 - (Hoke) Ass't tax supervisors. Received from House; sent to Counties, Cities and Towns.
HB 162 - (Hoke) Commissioners meeting place. Received from House; sent to Counties, Cities and Towns.
HB 163 - (Wayne) Town-county merger. Received from House; sent to Counties Cities and Towns.
HB 167 - (Guilford) Greensboro charter amendments. Received from House; sent to Counties, Cities and Towns.
HB 178 - (Duplin) ABC revenue uses. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 24 - (Union) Trash regulation. [Ch. 34]

HB 101 - (Pasquotank) Elizabeth City late taxes. [Ch. 35]
HB 108 - (Guilford) Fire protection funds. [Ch. 36]
HB 110 - (Rowan) Rockwell aldermen election. [Ch. 37]
HB 133 - (Columbus) Whiteville land sale. [Ch. 38]
HR 202 - (Joint Resolution) Honoring Ashley hoopsters. [R 20]
HR 203 - (Joint Resolution) Sharp for Supreme Court. [R 21]

Next sessionsof Senate: 9:00 a.m., Saturday, March 11, 1967
for consideration of local bills only;
8:00 p.m., Monday, March 13, 1967.

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BULLETIN NO. 23
Friday, March 10, 1967

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 223 - Introduced by Britt of Johnston and Twiggs

"Relating to the administration of charitable trusts, devises and bequests." [Adds new GS 36-23.2 entitled "Charitable Trusts Administration Act", as follows: Provides that if charitable trust or bequest or devise for charity becomes illegal, impossible or impracticable of fulfillment, any judge of superior court may order an administration as nearly as possible to fulfill manifest general charitable intention of settlor or testator; judge may act upon application of fiduciary, other interested party or NC Attorney General, and in all cases Attorney General to be notified and given opportunity to be heard as representative of public interest. Provides that if settlor or testator has specified, either directly or indirectly, alternative plan in event of failure of original plan, above procedure not to apply; but if alternative plan is charitable in nature and fails for the same reasons, then above procedure to apply and judge to make determination on basis of charitable intention of original plan. Defines "charity" and "charitable" as including any eleemosynary, religious, benevolent, education, scientific, or literary purpose. Effective Oct. 1, 1967.] To Judiciary 2.

HB 224 - Introduced by Britt of Johnston and Penny

"To amend Chapter 39 of the General Statutes relative to construction of conveyances where clauses in such conveyances are inconsistent." [Adds GS 39-2.1 providing that courts are to construe conveyances with inconsistent clauses executed after January 1, 1968 in order "to give effect to the intention of the parties as collected from the whole instrument without giving undue preference to the language of any such clauses or their location in the instrument." Act is not to prevent application of Rule in Shelley's Case. Effective January 1, 1968.] To Judiciary 2.

HB 225 - Introduced by Tart and others

"To provide more competitive salaries for public school personnel." [Appropriates from General Fund for increase of public school salaries $40,000,000 for fiscal year 1967-68 and $50,000,000 for fiscal year 1968-69 as follows: (1) For 1967-68 fiscal year, teacher salaries to begin for Class A-0 at $5,000 and extend to $7,100 per annum for Class A-12 with three longevity increments of $200 paid to teachers in Class A-17 through Class A-21, as additional increment for Class A-22 through Class A-26 and a third increment for Class A-27 and over. (2) For 1967-68 fiscal year, teacher salaries to begin for Class G-2 at $5,600 and extend to $7,825 per annum for Class G-13 with three longevity increments of $225 paid to teachers in Class G-18 through Class G-22, as additional increment for Class G-23 through Class G-27 and a third increment for Class G-28 and over. (3) For 1968-89 fiscal year, teacher salaries to begin for Class A-0 at $5,500 and extend to $7,800 per annum for Class A-12 with three longevity increments of $225 paid to teachers in the same manner as set out in (1) above. (4) For 1968-69 fiscal year, teacher salaries to begin for Class G-2 at $6,160 and extend to $8,600 per annum for Class G-13 with three longevity increments of $250 paid to teachers in the same manner as set out in (2) above.

Commensurate increases provided for principals, supervisors, assistant superintendents, superintendents, and all other certified personnel. Increases for fiscal year 1967-68 to be 20% over salaries paid from state funds in 1966-67 and for fiscal year 1968-69 to be 10% over salaries paid

from state funds in 1967-68 with three longevity increments of $250 paid to certified personnel upon completion of 17 years of public school service, as additional increment after 23 years of public school service and third increment for longevity after 28 years of public school service. Five percent increase provided each year of biennium for other public school personnel. All personnel in special schools offering instruction comparable to elementary and secondary state schools and paid on salary schedule established by State Board of Education to have same salary schedules as set out above. In addition to sums appropriated as described above, appropriates to Teachers' and State Employees' Retirement System sum sufficient to pay State's portion of retirement and Social Security contributions for sums appropriated above. Sums appropriated herein to be in addition to sums recommended by Advisory Budget Commission for education and included in Budget Current Operations Appropriations Bill for biennium 1967-69.] To Appropriations.

HB 226 - Introduced by Penny, Royall and Hofler

"To appropriate funds for the operation of the Law school of North Carolina College at Durham." [Identical with SB 94, digested in the Senate section of today's bulletin.] To Appropriations.

HB 227 - Introduced by Ramsey of Person

"To provide for alimony and support payments to be paid to and disbursed by county directors of public welfare." [Adds new GS 49-8(6), 50-19 and 14-326.2 giving court discretion to order that any alimony or support payments required by court be made to county director of public welfare and that director disburse funds in accordance with court order. (Cited sections relate to support of illegitimate children; support or alimony pursuant to divorce, separation and alimony proceedings; and criminal nonsupport proceedings.) Effective July 1, 1967.] To Judiciary 2.

HB 228 - Introduced by Taylor of Carteret and others

"To amend Article 6 of Chapter 136 of the General Statutes to provide for specific tolls which shall be charged for certain vehicles by the State Highway Commission on the Cedar Island-Ocracoke Ferry." [Amends GS 136-82 and 136-84 to limit SHC's authority to set tolls for ferries and bridges to those cases where not otherwise provided. Adds GS 136-82.2 providing for SHC to charge following tolls for vehicles using Cedar Island-Ocracoke Ferry: $2.50 for each car or pick-up of 3/4-ton capacity or less (including driver and all passengers) and for any trailer not exceeding 20 feet measured from hitch to rear of trailer or rear of load, whichever is longer; $5.00 for any trailer exceeding 20 feet, according to same measurement; $1.00 for pedestrians or cyclists (defined as those riding upon a vehicle without motor power) over 11 years and $ .50 for those less than 12.] To Roads.

LOCAL BILLS INTRODUCED

HB 220 - (Rutherford) Introduced by Harrill

"To amend Chapter 124, Session Laws of 1961 relating to the compensation of the members of the Board of County Commissioners of Rutherford County." [Amends S.L. 1961, Ch. 124 by raising annual salary of county comm'rs to $1,800.00 (now $1,080.00). Effective retroactive to February 1, 1967.] To Local Government.

HB 221 - (Rutherford) Introduced by Harrill

"To fix the compensation of the Sheriff, Clerk of Superior Court, Register of Deeds, Judge of the County Recorder's Court and the Solicitor of the County Recorder's Court of Rutherford County." [Provides annual

salaries payable monthly from county general funds for various officials of Rutherford County as follows: sheriff- $7,000; CSC - $7,000; register of deeds - $6,550; county recorder's court judge - $5,500; county recorder's court solicitor - $5,200. Retroactive to February 1, 1967.] To Local Gov't.

HB 222 - (Cumberland) Introduced by High, O'Hanlon, Bryan and Raynor "Amending Chapter 1455 of the 1957 Session Laws, so as to permit the sale of beer and wine in areas annexed by the City of Fayetteville." [Amends S.L. 1957, Ch. 1455, Sec. 8 to permit sale of beer and wine in areas annexed by City after June 12, 1957 (now restricted to corporate limits as of June 12, 1957).] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 3 - Continuing teacher contract. Received from Senate; sent to Education.
SB 4 - Arbor Week. Reported favorably; passed second and third readings.
SB 27 - Guardian bonds. Passed second and third readings.
SB 28 - Administrator bonds. Passed second and third readings.
SB 36 - Law-Order Committee, as amended in Senate 3/9. Received from Senate; sent to State Government.
SB 61 - Space Board name change. Received from Senate; sent to State Government.
SB 76 - Revolution Commission. Received from Senate; sent to State Government.
SR 90 - (Joint Resolution) Honoring Ashley hoopsters. Received from Senate; sent to Rules.

HB 93 - Fuel tax rebate. Amended to become effective January 1, 1968 (was effective upon ratification); passed second and third readings.
HB 105 - Highway plans recording, as amended in House 3/9. Postponed to March 14.
HB 120 - Bond-water contract limits. Passed second and third readings.
HB 138 - Jury's capital recommendation. Postponed to March 16.
HB 144 - Gambling surveillance repeal. Passed second and third readings.
HB 157 - Good Neighbor Council. Postponed to March 14.

LOCAL BILLS

SB 46 - (Transylvania) Brevard ordinances. Received from Senate; sent to Local Government.

HB 112 - (Martin) Jamesville boundaries. Passed.
HB 125 - (Lee) Sanford elections, as amended in House 3/9. Recalled from Engrossing; vote by which passed second and third readings reconsidered. Placed on calendar for March 14.
HB 164 - (Wayne) Plumbing inspectors. Passed.
HB 165 - (Wilson) Sunday closing law. Passed.
HB 174 - (Gaston) Township tax lister. Passed.
HB 183 - (Carteret) Ratifying land conveyances. Passed.
HB 194 - (Buncombe) Eliada Home appropriation. Passed.
HB 196 - (Pamlico) Marriage license delay repeal. Passed.
HB 200 - (Pamlico) Draftsman identification. Passed.
HB 201 - (Craven) Draftsman identification. Passed.

Next sessions of House: 10:00 a.m., Saturday, March 11, 1967, for consideration of local bills only.
8:00 p.m., Monday, March 13, 1967.

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DAILY BULLETIN

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BULLETIN NO. 24
Monday, March 13, 1967

Note: The Senate convened at 9:00 a.m., Saturday, March 11, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

PUBLIC BILLS INTRODUCED -- SENATE

SB 95 - Introduced by Currie and others
"To authorize the Department of Mental Health to continue the Wright School at Durham, North Carolina, for the treatment and education of emotionally disturbed children." [Directs Department of Mental Health to continue to operate Wright School.] To Mental Health.

SR 96 - (Joint Resolution) Introduced by Briggs
"Creating an Air Pollution Control Study Commission." [Creates 9-member Air Pollution Control Study Commission to determine extent of present air pollution problem and forecast problems twenty-five years ahead without regulation; investigate methods of controlling or abating existing pollution and preventing new pollution; investigate control methods of other states, federal legislation and its effect on the North Carolina problem; and report to next regular session of General Assembly by March 1, 1969 with recommendations. Commission to consist of Comm'r of Labor, Director of Conservation & Development, Comm'r of Agriculture, Attorney General, State Director of Health, and four members to be appointed by Governor within three months after adoption of resolution. Gubernatorial appointees to include a licensed doctor of medicine expert in toxicology of air contaminants, a licensed professional engineer trained or experienced in air pollution control, a representative of industry employed by a manufacturer or public utility within NC, and a member of a local governing body. Ex officio members may designate deputies to serve in their places. Commission to elect chairman and secretary from own membership, and may employ clerical and other assistance and professional services, with approval of Governor. Members to be paid travel and per diem provided for State boards and commissions generally. Expenses of Commission to be paid from Contingency and Emergency Fund, not in excess of $30,000.] To State Government.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 93 - Fuel tax rebate, as amended in House 3/10. Received from House; sent to Finance.
HB 120 - Bond-water contract limits. Received from House; sent to Finance.
HB 144 - Gambling surveillance repeal. Received from House; sent to Counties, Cities and Towns.

LOCAL BILLS

SB 38 - (Cabarrus) Register of deeds salary. Passed.
SB 39 - (Cabarrus) Sheriff salary. Passed.
SB 40 - (Cabarrus) Education board membership. Passed.
SB 52 - (Swain) School board appointments. Passed.
SB 53 - (Bladen) Jury duty fees. Passed.
SB 84 - (Henderson) Hendersonville school board. Passed.

HB 14 - (Buncombe) Tax listing. Passed.
HB 16 - (Beaufort) Chocowinity zoning. Passed.
HB 29 - (Beaufort) Plumbing inspector. Passed.
HB 31 - (Union) Worthless checks. Amended to apply only to checks or drafts issued and delivered after March 31, 1967. Passed.
HB 70 - (Chowan) Edenton fire house. Passed.
HB 81 - (Jones) BCC & Bd of Ed salary increase. Passed.
HB 99 - (Guilford) Municipal-county judge pay. Passed.
HB 112 - (Martin) Jamesville boundaries. Received from House; sent to Counties, Cities and Towns.
HB 164 - (Wayne) Plumbing inspectors. Received from House; sent to Counties, Cities and Towns.
HB 165 - (Wilson) Sunday closing laws. Received from House; sent to Local Government.
HB 174 - (Gaston) Township tax lister. Received from House; sent to Counties, Cities and Towns.
HB 183 - (Carteret) Ratifying land conveyances. Received from House; sent to Judiciary 1.
HB 194 - (Buncombe) Eliada Home appropriations. Received from House; sent to Counties, Cities and Towns.
HB 196 - (Pamlico) Marriage license delay repeal. Received from House; sent to Judiciary 1.
HB 200 - (Pamlico) Draftsman identification. Received from House; sent to Judiciary 1.
HB 201 - (Craven) Draftsman identification. Received from House; sent to Judiciary 1.

Next session of Senate: 12:00 noon, Tuesday, March 14, 1967.

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BULLETIN NO. 24
Monday, March 13, 1967

Note: The House convened at 10:00 a.m., Saturday, March 11, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 229 - (Joint Resolution) Introduced by Clark of New Hanover
"Creating an Air Pollution Control Study Commission." [Identical with SR 96, digested in the Senate section of today's bulletin.] To Rules.

HB 233 - Introduced by Short and others
"To authorize precinct officials to enter the absentee votes on the voting machine counters in counties and precincts using voting machines." [As title indicates. Adds to GS 163-64 provision whereby absentee votes may be entered upon voting machine counter (now, merely added to totals as shown on voting machine) by registrar in presence of both judges of election and in accord with rules and regulations of State Board of Elections.] To Elections and Election Laws.

LOCAL BILLS INTRODUCED -- HOUSE

HB 230 - (Bertie) Introduced by Burden and Jernigan
"To validate tax levies and tax sales in Bertie County." [Validates and ratifies: (1) all acts done by or under direction of Bertie Board of Comm'rs in listing property for taxes and levying taxes for 1965 and 1966; (2) advertisements and sales of lands for failure to pay taxes and all acts done by board, tax collector, deputy tax collector, or by acting tax collector relating to advertisement and sales of lands for failure to pay taxes to Bertie County for 1964 and 1965; and (3) all acts done by or under direction of Elizabeth W. Cooper, deputy county tax collector, during illness and hospitalization of Lacy M. Early, late county tax collector who died on Oct. 25, 1966, and all acts by or under direction of Joe S. Warlick, acting county tax collector, from death of Lacy M. Early to Jan. 3, 1967 when newly appointed tax collector entered upon duties of office. Act not to affect pending litigation.] To Local Government.

HB 231 - (Bertie) Introduced by Burden and Jernigan
"To add Bertie County to the provisions of subdivision 43 of G.S. 153-9 relating to certain tax levies." [Adds Bertie to list of counties authorized by cited section to levy special taxes for special purposes of paying salaries and expenses of farm and home demonstration agents, and veterans service officer, and to pay salary and office expenses of county accountant.] To Local Government.

HB 232 - (Hoke) Introduced by McFayden
"Relating to the drawing of jurors in Hoke County." [Adds Hoke County to GS 9-4 (local modifications as to drawing panel); provides that Hoke Commissioners shall draw not more than 60 jurors (now, under general law 36) for each criminal or mixed term of superior court and not more than 48 jurors (now, under general law 24) for each civil term. Retroactive to Jan. 1, 1967 with proviso that any drawing of Hoke County jurors since Jan. 1, 1967 shall be valid.] To Courts and Judicial Districts.

HB 234 - (Johnston) Introduced by Britt of Johnston and Woodard

"To amend Chapter 539 of the Session Laws of 1943 relating to elections in the Town of Benson." [Makes following amendments to Benson Charter relating to elections: (1) Rewrites SL 1943, Ch. 539, Sec. 3 as amended to provide for regular biennial elections on Tuesday after first Monday in May to elect mayor and town constable to serve 2-year terms and two comm'rs to serve 4-year terms (now two years). In regular 1967 election four comm'rs shall be elected with two candidates receiving largest vote serving 4-year terms and two candidates receiving next largest vote serving 2-year terms. (2)Rewrites Sec. 4 to provide that registration book shall be opened at 9:00 a.m. on fourth Friday preceding day of election and closes 6 p.m., 2d Fri. pre-election (now open 9 a.m., 3rd Mon. in April to 6 p.m., 4th Fri. in April). Registrar to keep books at polls 9 a.m. to 6 p.m. each Sat. in registration period with second Saturday preceding day of election being challenge day. (Now registrar to keep registration books at polling place between 9:00 a.m. and 6:00 p.m. on third Saturday and fourth Friday in April preceding town election, with last Saturday in April preceding town election being challenge day.) Repeals SL 1947, Ch. 404, Sec. 1, 2 and 3; SL 1955, Ch. 316, Sec. 1; SL 1961, Ch. 529 and 588.] To Judiciary 2.

HB 235 - (Caswell) Introduced by Gunn

"To authorize the Board of County Commissioners of Caswell County to fix fees charged by the county officers and to authorize the County Board of Commissioners of said county to fix the number of salaried county employees and the compensation of county officials and employees." [Adds Caswell to list of counties subject to GS 143-9(12a) (empowering boards of commissioners of listed counties to fix fees charged by county officers) and Art. 6 of GS Ch. 153 (allowing counties to fix numbers and salaries of salaried county employees).] To Salaries and Fees.

HB 236 - (Caldwell) Introduced by Kincaid

"To amend GS 153-6, so as to authorize the Board of County Commissioners of Caldwell County to fill vacancies occurring on said Board." [Adds Caldwell to list of counties whose boards of county commissioners are authorized to fill vacancies on board for unexpired terms (general law, filled by clerk of superior court).] To Counties, Cities and Towns.

HB 237 - (Davidson) Introduced by Whicker

"To provide for the nomination and election of members of the Board of Education of Davidson County." [Provides for county board of education to consist of five members, three to be nominated and elected for four-year terms at 1968 primary and general election of Davidson County and two to be nominated and elected for four-year terms in 1970 primary and general election; successors to be elected biennially thereafter. Present members to continue to hold office until terms expire and successors are elected. New members to take office on first Monday in December in year in which elected and vacancies to be filled by board for unexpired term. If person nominated dies, removes himself as candidate, or is otherwise unable to be a candidate, executive committee of political party of such person to appoint candidate. Primary and general election to be conducted in accordance with primary and general election laws for county offices as provided by GS Ch. 1963.] To Education.

HB 238 - (Catawba) Introduced by Mullinax

"To revise and consolidate the Charter of the City of Newton." [Generally revises and consolidates Newton charter, as follows: (1) Continues City of Newton with general corporate powers and describes existing boundaries by metes and bounds. (2) Provides for mayor and 6-member board of aldermen elected at large for 4-year staggered terms (aldermen) and 2-year term (mayor) at regular municipal elections held on first Monday in May in odd-numbered years, with nominations by filing-of-candidacy procedures. Provides for organization and procedures of aldermen; mayor to have only a casting vote. (3) Provides for aldermen to appoint city manager as chief executive and administrative officer, and to appoint a city attorney. Authorizes manager to appoint and remove all officers, employees and department heads other than city attorney and city accountant; specifically authorizes manager to appoint city clerk and city tax collector and to consolidate their offices or functions. (4) Provides for city financial and fiscal procedures, including annual independent audit; authorizes aldermen to direct payment into general fund of delinquent tax collections two or more years delinquent when collected. Provides that GS 105-345(6) shall not apply to Newton (discounts for prepayment of property taxes); prescribes maximum 1% discount for prepayment if paid within 15 days after last tax notice in regular books is mailed or prior thereto, with taxes to be collected at net after such 15-day period and through Feb. 1. (5) Authorizes Newton to sell surplus personalty up to $500 market value without bids or advertisement. $500 - $2,000 value on informal written bids with advertisements as aldermen direct, and over $2,000 value to high bidder on sealed bids after one week public notice. (6) Extends city police force jurisdiction to one mile outside corporate limits, and to all city owned property and facilities wherever located. (7) Authorizes aldermen to establish retirement system for age, disability and death covering such city officers and employees as determined by aldermen. Spells out provisions for benefits (including prior service benefits), contributions by city and employees and administration of system. (8) Authorizes aldermen to make street assessments (including curb, gutter and drainage) without petition where project does not exceed 3,000 lineal feet, where street unsafe, to connect two streets or portions of improved street, and to widen improved streets. Requires property owners to keep abutting sidewalks clean and free of trash and obstructions, and to keep property free of weeds and refuse; authorizes city to remove weeds and refuse and charge the cost (as a lien) to the property owner. (9) Authorizes aldermen to enact subdivision control ordinance for land within city and one mile outside city limits, and spells out procedures therefor; provides for city jurisdiction to terminate, where land lies within jurisdiction of two municipalities, at boundary line equidistant from corporate limits of the two municipalities. (10) Prescribes procedures for presentation of claims against the city (tort claims to be presented within 90 days after due date or accrual, and no action to be brought thereon within 30 days or after 12 months from presentation; real property claims must be brought within two years after alleged city use; special provisions made for incapacity). (11) Lists various acts repealed or not affected by charter; provides various savings clauses; and continues existing ordinances and proceedings.] To Local Government.

HB 239 - (Alamance) Introduced by Euliss and Pickard

"To set the costs in civil and criminal actions in the courts of the justices of the peace in Alamance County." [As title indicates. Establishes costs and fees in civil proceedings as follows: Actions or proceedings in ejectment and in which ancillary relief is sought, including claim and delivery, attachment, and garnishment - $10; every other contested action - $10; every other uncontested action - $5; year's allowance for spouse or child to include $1 for each of two comm'rs to be collected by justice and paid to comm'rs: (if alloted at office of justice - $7; if alloted on premises of deceased $12;); performing marriage ceremony - $10; acknowledgement, jurat or oath - 50¢. Costs and fees in criminal proceedings as follows: peace warrant, to be paid in advance by complainant - $50; every other contested action, to be paid by convicted defendant - $10; every other uncontested action; to

be paid by convicted defendant - $7.50; every action of which the justice has not final jurisdiction, to be remitted by court in which conviction is had, upon its receipt from defendant - $5. Fees and costs in civil matters to be paid in advance by party seeking service or initiating action. In all actions other than those in ejectment or for ancillary relief, plaintiff to pay $5.00 at institution of action, and remaining $5, should action be contested, at beginning of trial. Fees and costs established by act are complete and exclusive and are full payment for every service to be rendered by the justice in entire action or proceeding. Act not to affect liability of any party for taxes, officers' fees, witness' fees, jury fees, or other expenses incident to any action or proceeding and which are lawful. Repeals SL 1951, Ch. 668 (present cost and fee schedule). Effective July 1, 1967.] To Courts and Judicial Districts.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 20 - Teacher pay increase. Withdrawn from Education and re-referred to Appropriations.

LOCAL BILLS

HB 91 - (Halifax) Community hospital tax. Passed.
HB 193 - (Buncombe) School supplement increase as amended in House 3/9. Floor amendment adopted to change deadline for special or general election to any time prior to Jan. 1, 1969 (now 1968). Passed.
HB 195 - (Johnston) Kenly corporate limits. Passed.

Next session of House: 12 noon, Tuesday, March 14, 1967.

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BULLETIN NO. 25

Tuesday, March 14, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 97 - (Joint Resolution) Introduced by Bagnal and Nielson
"To express deep appreciation and to pay appropriate honor to United States Army Specialist 6 Lawrence Joel of Forsyth County in the name of all the citizens of the State of North Carolina." [As title indicates. Provides for establishment of committee to be composed of three members appointed by President of Senate, three by Speaker of House and one by Governor to express appreciation and respect of people of State with appropriate ceremonies. Identical with HR 241.] Passed three readings and sent to House.

SB 98 - Introduced by MacLean and Matheson
"Amending G.S. 106-498 relating to the financial responsibility of handlers of farm products." [Amends GS 106-498 by requiring that no farm handler permit be issued to handler not operating strictly on cash basis and who incurrs or may incur financial liability to any grower unless furnishing Commissioner of Agriculture evidence of ability to carry out contract or furnishing satisfactory bond in an amount not less than $10,000 (now not exceeding $10,000). Comm'r may require new or additional bonds when necessary for protection of producer (new). Effective July 1, 1967.] To Agriculture.

SB 99 - Introduced by Henley
"To make East Carolina College a campus of the University of North Carolina under the designation 'East Carolina University at Greenville'." [Amends Ch. 116, Art. 1 of General Statutes by adding new "Part 3B" entitled "East Carolina University at Greenville". Provides that East Carolina College shall become a campus of UNC under designation "East Carolina University at Greenville" on July 1, 1967 and that Board of Trustees of East Carolina College shall on or before July 1, 1967 execute proper legal instruments conveying to UNC without consideration all right, title, and interest of grantor in and to real and personal property of East Carolina College, including all endowments, executory contracts and unexpended State appropriations. Amends GS 116-2 (designating campuses of Consolidated University of North Carolina) by making East Carolina University at Greenville a campus of UNC.] To Higher Education.

SB 100 - Introduced by Buchanan
"To appropriate funds to the Vagabond School of the Drama, Inc., known as the State Theatre of North Carolina, for operation, construction and expansion." [Appropriates $25,000 for each of fiscal years 1967-68 and 1968-69 from General Fund to Vagabond School of the Drama, Inc., for operation, construction, and expansion of State Theatre of North Carolina.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 101 - (Henderson) Introduced by Buchanan
"Regulating the fees of Justices of the Peace in Henderson County." [Amends Ch. 277, SL 1951, by making $8.00 costs payable to JP in all criminal cases where he has final jurisdiction (now $7.00) and in all civil cases at time of institution of action (now $4.00) and by adding provision assessing $8.00 costs payable to JP in all claim and delivery and attachment cases.] To Counties, Cities and Towns.

SB 102 - (Catawba) Introduced by Shuford
"To revise the division line between Newton and Conover for the election of members of the Board of Education." [As title indicates; sets out new boundaries between old Conover special school tax district and old Newton Graded School District by metes and bounds.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 37 - Ethyl alcohol testing. Reported favorably as amended.
SB 68 - County peddler regulation. Reported favorably as amended
SB 97 - (Joint Resolution) Honoring Joel. Passed three readings.

HB 129 - Bed-board divorce. Reported favorably.

LOCAL BILLS

HB 91 - (Halifax) Community hospital tax. Received from House; sent to Finance.
HB 145 - (Pitt) Ayden corporate limits. Passed.
HB 193 - (Buncombe) School supplement increase, as amended in House 3/9/67 and 3/13/67. Received from House; sent to Finance.
HB 195 - (Johnston) Kenly corporate limits. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 4 - Arbor Week. [Ch. 39]
SB 27 - Guardian bonds. [Ch. 40]
SB 28 - Administrator bonds. [Ch. 41]

HB 14 - (Buncombe) Tax listing. [Ch. 43]
HB 16 - (Beaufort) Chocowinity zoning. [Ch. 44]
HB 29 - (Beaufort) Plumbing inspector. [Ch. 45]
HB 70 - (Chowan) Edenton fire house. [Ch. 46]
HB 81 - (Jones) BCC & Bd of Ed salary increase. [Ch. 47]
HB 99 - (Guilford) Municipal-county judge pay. [Ch. 48]
HB 131 - (Carteret) Document draftsmen. [Ch. 42]

Next session of Senate: 11:30 a.m., Wednesday, March 15, 1967.

BULLETIN NO. 25
Tuesday, March 14, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 240 - (Joint Resolution) Introduced by Vaughn and McMichael
"Honoring the life and memory of R.P. Richardson." [As title indicates.] To Rules.

HR 241 - (Joint Resolution) Introduced by Ingle and others
"To express deep appreciation and to pay appropriate honor to United States Army Specialist 6 Lawrence Joel of Forsyth County in the name of all the citizens of the State of North Carolina." [Identical with SR 97, digested in the Senate section of today's bulletin.] Passed three readings and sent to Senate.

HB 242 - Introduced by Hofler and others
"To authorize the Department of Mental Health to continue the Wright School at Durham, North Carolina, for the treatment and education of emotionally disturbed children." [Directs Department of Mental Health to continue to operate Wright School. Identical with SB 95 digested in Senate section of Bulletin No. 24.] To Mental Health.

HB 247 - Introduced by Speed and others
"To rewrite G.S. 106-322.2 relating to the slaughter of swine affected with or exposed to hog cholera." [Clarifies GS 106-322.2 to authorize State Veterinarian to destroy or slaughter swine affected with or exposed to hog cholera (now does not specify exposed swine) notwithstanding wishes of owners of swine (now no mention of owners wishes) and to compensate owner for loss as statute now provides.] To Agriculture.

LOCAL BILLS INTRODUCED -- HOUSE

HB 243 - (Sampson) Introduced by Tart
"To revise and consolidate the Charter of the Town of Salemburg, North Carolina." [Generally revises and consolidates Salemburg charter, as follows: (1) Continues Town of Salemburg with general corporate powers and describes existing boundaries by metes and bounds. (2) Provides for mayor and 6-member board of comm'rs elected at large for 4-year staggered terms (comm'rs) and 2-year term (mayor) at regular municipal elections held on Tuesday after first Monday in May in odd-numbered years, with nominations by filing-of-candidacy procedures. Permits use of modern loose leaf registration system. Provides for organization and procedures of comm'rs; mayor to have only a casting vote. (3) Provides for comm'rs to appoint town attorney, clerk, tax collector and accountant; to consolidate any of last three named; and to create and fill other offices. (4) Provides for town financial and fiscal procedures, including annual independent audit; provides for automatic continuation of privilege and ad valorem taxes from year to year unless new or amending ordinance adopted; requires advance approval by comm'rs of supplies and equipment purchases. (5) Extends town police force jurisdiction to two miles outside corporate limits, and to all town owned property and facilities wherever located. (6) Authorizes comm'rs to establish traffic bureau to process and collect civil penalties for traffic and parking violations, which shall be paid into town general fund unless otherwise provided by ordinance; no tax to be paid to State of NC in traffic bureau cases. (7) Prescribes procedures for presentation of claims against the town (tort claims to be presented within 90 days after due date or accrual, and no action to be brought thereon within 30 days or after 12 months from presentation; real property claims must be brought within two years after

alleged town use; special provisions made for incapacity). (8) Authorizes comm'rs to regulate opening and closing hours of business. Provides for town records and accounts to be open for inspection at reasonable hours and under reasonable regulations. (9) Lists various acts repealed or not affected by charter; provides various savings clauses; and continues existing ordinances and pending proceedings.] To Counties, Cities and Towns.

HB 244 - (Buncombe) Introduced by Harkins and Greenwood

"Amending Chapter 1043, Session Laws of 1959, relating to the appropriation of funds by the Board of Commissioners of Buncombe County to the chambers of commerce of the various municipalities in Buncombe County and the Asheville Agricultural Development Council." [Increases to $25,000 (now, $12,500) amount Buncombe Comm'rs authorized to appropriate to chambers of commerce of various Buncombe municipalities. Increases to $17,500 (now, $12,500) amount Buncombe Comm'rs authorized to appropriate to Asheville Chamber of Commerce for use of Asheville Agricultural Development Council.] To Local Government.

HB 245 - (Lincoln) Introduced by Leatherman

"Relating to retirement benefits for certain emoloyees of the Town of Lincolnton in Lincoln County." [Authorizes Lincolnton Bd of Aldermen to appropriate funds from town's non-tax revenues for retirement benefits granted to any employee, or retired employee of town, in addition to retirement benefits employee may receive from NC Local Gov't Employees' Retirement System or other sources. Retired town employees employed for 25-years or more to be paid $50 per month during lifetime. Employee and retired employee to file with clerk to aldermen notice of desire to be placed on retirement roll. Retired employee desiring to be included under pension plan must pay town's treasurer 3-1/2% monthly of wages or salary for last two years of employment with town. Town to contribute monthly an equal amount from non-tax moneys and revenue. Funds collected to be deposited in separate fund to be known as retirement fund and to be disbursed by voucher drawn by town treasurer and countersinged by mayor. If retirement fund insufficient to make monthly payments town must place sufficient sum in fund to be paid out of non-tax money to make monthly payments. All town employees including clerk, treasurer, and town attorney may voluntarily file notice with clerk to be entered on pension roll. Employees age 62 with 25-years accumulated town employment to receive $50 retirement per month and employee disabled or unable to work at gainful occupation with 10-years accumulated employment to be entitled to retirement benefits of $50 per month. Employees may withdraw from pension plan and be refunded without interest money paid into fund. Employees desiring to come under pension plan must file written request with clerk within six months of effective date of this Act or within six months after employment by town.] To Local Government.

HB 246 - (Richmond) Introduced by Hunter

"To provide for the salaries of certain employees of Richmond County." [Amends SL 1961, Ch. 498 as follows: (1) Adds provision authorizing county commissioners to increase rate of monthly pay of jailers appointed by sheriff beyond stated maximum of $350 per month (compensation now set by sheriff). (2) Adds provision authorizing Board to increase rate of monthly pay of additional deputy sheriffs appointed by sheriff beyond present maximum of $350 (compensation now set by sheriff). (3) Adds provision authorizing board to increase rate of monthly pay of additional clerical assistants employed by sheriff (compensation now set by sheriff) beyond present maximum of $250. (4) Adds provision authorizing board to increase rate of monthly pay of assistant clerks and deputy clerks appointed by clerk of superior court compensation (now set by clerk) beyond present maximum of $350; this amendment to be effective only until Art. 12 of GS Ch. 7A becomes applicable to Richmond County."] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

HB 105 - Highway plans recorded, as amended in House 3/9. Amended to authorize register of deeds to collect fees for indexing projects and recording plans and profile sheets as now applicable to indexing and recording of similar instruments (originally authorized collection of 50¢ for such indexing and recording). Passed third reading.
HB 113 - Prosecutor's mercy. Postponed to March 16.
HB 157 - Good Neighbor Council. Rereferred to Appropriations.
HB 223 - Construing charitable trusts. Reported favorably.
HR 241 - (Joint Resolution) Honoring Joel. Passed three readings.

LOCAL BILLS

SB 38 - (Cabarrus) Register of deeds salary. Received from Senate; sent to Salaries and Fees.
SB 39 - (Cabarrus) Sheriff salary. Received from Senate; sent to Salaries and Fees.
SB 40 - (Cabarrus) Education board membership. Received from Senate; sent to Education.
SB 52 - (Swain) School board appointments. Received from Senate; sent to Education.
SB 53 - (Bladen) Jury duty fees. Received from Senate; sent to Courts and Judicial Districts.
SB 84 - (Henderson) Hendersonville School board. Received from Senate; sent to Education.

HB 31 - (Union) Worthless checks, as amended in Senate 3/13. Received for concurrence in Senate amendment; concurred.
HB 125 - (Lee) Sanford elections, as amended in House 3/9. Amended as follows: (1) To provide for biennial city elections (originally quadrennial). (2) To delete references to aldermen's 4-year terms of office; (3) Mayor and aldermen elected to assume office on July 1, following election unless said day falls on Sunday; then to assume office on Monday following. (4) Authorizes Lee Board of Elections to send registrars and special registrars into wards and voting places upon request of Sanford governing body (last amendment a floor amendment). Passed.

Next session of House: 11:30 a.m., Wednesday, March 15, 1967.

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BULLETIN NO. 26
Wednesday, March 15, 1967

Session: Senate -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 103 - Introduced by Allsbrook and Bailey

"To amend the Uniform Commercial Code as enacted in this State and to amend other related statutes." [Makes following changes in Art. 1 (General Provisions): Amends GS 25-1-201 (28) to provide that two or more persons having a joint or common interest (now, a joint or common property interest) come within the definition of "organization". Adds new GS 25-1-209 providing that an obligation may be issued as subordinated to payment of another obligation of the person obligated, or a creditor may subordinate his right to payment of obligation by agreement with either person obligated or another creditor of person obligated. Subordination does not create security interest as against common debtor or subordinated creditor. Provision to be construed as declaring prior law.

Makes following changes in Art. 2 (Sales): Amends GS 25-2-207 (2) by deleting reference to "different" terms. Amends GS 25-2-716 (1) to authorize specific performance "in other proper circumstances" in addition to when goods are unique. Amends GS 25-2-723(2) by adding "in commercial judgment" to usage of trade as factor in determining reasonable substitute for place described. Amends GS 2-725(1) to authorize parties by original agreement to reduce period of limitation to not less than one year.

Makes following changes in Art. 3 (Commercial Paper): Amends GS 25-3-802(1) (b) to provide that discharge of underlying obligor on instrument discharges him on obligation to extent of his discharge on instrument.

Makes following changes in Art. 4 (Bank Deposits and Collections): Amends GS 25-4-106 by deleting requirement that a branch or separate office of bank must maintain its own deposit ledgers in order to come within definition of separate bank. Amends GS 25-4-204 by deleting word "bank" from caption. Amends GS 25-4-405 by adding subsection (3) providing that in cases of conflict GS 105-24 (access to deposits of decedent) and GS 41-2.1 (right of survivorship in bank deposits) shall control.

Makes following changes in Art. 6 (Bulk Transfers): Repeals GS 25-6-106, GS 25-6-107(2)(e), GS 25-6-108(3)(c) and GS 25-6-109(2) which provide in certain cases where new consideration becomes payable, for the transferee to assure that such consideration is applied to pay debts of transferor.

Makes following changes in Art. 9 (Secured Transactions): Makes clarifying changes in GS 25-9-203(2) and GS 25-9-302(1)(c) and (d). Deletes last paragraph of GS 25-9-313(4) which requires, in order for security interest to be perfected against real estate, that instrument be filed or recorded in office of register of deeds in affected county in same manner as mortgages on real estate. Deletes last sentence of GS 25-9-403 which requires register to file or record an instrument covering fixtures

in same manner as mortgages on real estate. Deletes subsection (4) of GS 25-9-404 which sets out alternative means for terminating financing statement or security agreement. Adds to GS 25-9-407(2) requirement that filing officer (includes both Secretary of State and register of deeds), upon request of any person, issue certificate indicating effective financing statements and assignments presently on file against any debtor. Sets fee for preparation of certificate at $2 plus $1 for each financing statement and each statement of assignment reported. Repeals GS 25-9-408 which authorizes secured party to opt for recording rather than filing of original security agreement and permits the register of deeds, with approval of county commissioners, to choose to become a "recording" rather than a "filing" county. Adds GS 25-9-201.1 requiring joinder of spouse in conveyances of household & kitchen furniture securing payment except: purchase money transactions; where spouse adjudged lunatic or insane; where spouse given sole authority by separation deed; or where spouse not at fault as set out in GS 31A-1(d). Adds a number of new sections which essentially duplicate the following provisions of GS Ch. 45 (Mortgages and Deeds of Trust) with respect to sale procedures under a power of sale: GS 45-21.11, -21.12, -21.16, -21.18, -21.19, -21.21, -21.22, -21.31, -21.32 (sections are modified to extent that they apply to real property or conflict with other provisions of Code and reference is made to other sections of Code where appropriate). Adds new GS 25-9-601 providing that substantial compliance with requirements of public sale (as set out in the new sections patterned after GS Ch. 45 provisions set out above) qualifies sale as commercially reasonable.

Makes following changes in Art. 10 (Effective Date and Repealer): Repeals GS 25-10-107 which makes security interests not subject to Code subject to provisions of GS Chps. 45 (Mortgages and Deeds of Trust) and 47 (Probate and Registration).

Makes following changes in GS Chps. 45 and 47: Repeals GS 45-1, -2, -3, -3.1, -21.5, -21.6, -21.13, -21.16(4), -21.18, -21.19, -21.25, and -21.30(b) (the sections repealed deal only with security interests in personal property and are either superseded by Code or transferred by this bill to appropriate sections of Code). Amends GS 45-7, -8, -10, -11 to make it clear that in cases of conflict the Code applies. Amends GS 45-12 (certificate of CSC in cases of substitution of trustees) to provide that registration requirement not applicable if instrument is subject to Code. Amends GS 45-21.1, -21.21(b) (2), -21.31(a) and -21.36 by deleting references to personal property transactions. Deletes last paragraph of GS 45-21.38 which provides for deficiency judgments in cases of power of sales under conditional sales contracts. Amends GS 47-20 (registration requirements for deeds of trust, mortgages and conditional sales contracts) to make it clear that Code transactions are not subject to the section.

Adds new GS 6-21.2 which makes obligations to pay attorneys' fees in notes, conditional sale contracts or other evidences of indebtedness (in addition to legal rate of interest or specified finance charges) valid and enforcible and collectible as part of debt if collection is made by or through attorney after maturity. Provides that obligation to pay attorney fees is restricted to amount not exceeding 15% of outstanding balance (as defined). Provides, except in specified cases of default, that collecting party must give debtor notice that provisions with respect to adding attorney fees to outstanding balance will be enforced. If debtor pays outstanding balance within five days after mailing of notice, obligation to pay attorneys' fees becomes void. Effective midnight, June 30, 1967. Identical with HB 241.] To Judiciary 1.

SB 104 - Introduced by White of Cleveland
"To amend Article 11, Chapter 14 of the General Statutes relating to abortion and kindred offenses." [Amends GS 14-44 (using drugs or instruments to destroy unborn child), and GS 14-45 (using drugs or instruments to produce miscarriage or injure pregnant woman) to permit abortion when performed by physician who reasonably establishes substantial risk that continuance of pregnancy would threaten life or impair health of mother, or that child would be born with grave physical or mental defect, or that pregnancy resulted from statutory or forcible rape or incest, and when abortion is performed in hospital licensed by North Carolina Medical Care Commission after written certification by two physicians of justifying circumstances (one of whom may be doctor performing act) has been previously submitted to hospital where performed (now, statutes provide justification for destroying unborn child only if necessary to preserve life of mother and provide no justification for producing miscarriage or injuring pregnant woman). Identical with HB 249.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- SENATE

SB 105 - (Onslow) Introduced by Ellis
"To amend G.S. 153-9(47) so as to authorize the Board of County Commissioners of Onslow County to appoint a plumbing inspector whose duty it will be to enforce plumbing regulations in said county." [Adds Onslow County to list of counties covered by GS 153-9(47) (authorizing county commissioners to designate one or more plumbing inspectors to inspect and approve installation of all plumbing and water systems installed in unincorporated areas and to enforce plumbing regulations adopted by county boards of health).] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 37 - Ethyl alcohol testing. Amendment adopted deleting reference to nonnecessity of proof of compliance with alcohol testing requirements as prerequisite to introduction in evidence of Board of Health regulations. Passed second and third readings.
SB 68 - County peddler regulation. Amendment adopted making any violation of regulation or ordinance under this Act a misdemeanor punishable by fine not over $50 or imprisonment not over 30 days. Postponed to March 16, 1967.
SB 75 - Cancer Study Commission. Reported favorably as amended.

HB 105 - Highway plans recording, as amended in House 3/9 and 3/14. Received from House; sent to Public Roads.
HB 129 - Bed-board divorce. Passed second and third readings.
HR 241 - (Joint Resolution) Honoring Joel. Received from House; passed second and third readings.
HR 248 - (Joint Resolution) Honoring Carolina hoopsters. Received from House; passed second and third readings.

LOCAL BILLS

HB 125 - (Lee) Sanford elections, as amended in House 3/9 and 3/14. Received from House; sent to Local Government.
HB 183 - (Carteret) Ratifying land conveyances. Passed.
HB 196 - (Pamlico) Marriage license delay repeal. Passed.

Next session of Senate: 12 noon, Thursday, March 16, 1967

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BULLETIN NO. 26
Wednesday, March 15, 1967

Session: House -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 248 - (Joint Resolution) Introduced by Fenner and Barbee
"Congratulating the basketball team of the University of North Carolina at Chapel Hill for winning the 1967 Atlantic Coast Championship and wishing it success in its quest for the National Championship." [As title indicates.] Passed three readings and sent to Senate.

HB 249 - Introduced by Jones
"To amend Article 11, Chapter 14 of the General Statutes relating to abortion and kindred offenses." [Identical with SB 104, digested in the Senate section of today's bulletin.] To Health.

HB 251 - Introduced by Edwards
"To amend the Uniform Commercial Code as enacted in this State and to amend other related statutes." [Identical with SB 103, digested in the Senate section of today's bulletin.] To Corporations.

HB 253 - Introduced by Paschall
"Relative to sales tax on farm machinery, equipment and supplies." [Generally revises GS 105-164.4(1) g, with following specific changes: Extends coverage of 1% sales tax to repair and maintenance tools and supplies used in farm production (now, only sales of machinery and parts and accessories). Increases machinery covered to include machinery used in preparation for planting (now, only machinery used in planting, cultivating, harvesting and curing farm crops). Adds hatcheries to list of enterprises whose machinery and parts and accessoreis for machinery is covered by 1% tax. Includes in definition of machinery for purposes of application of section all non-vehicular implements (now excludes those operated by hand, with no moving parts) and metal flues sold for use in curing any farm products (now, only those used in tobacco curing). Adds to list of agricultural items exempted from sales tax by GS 105-164.13(2) the following: All feeds, vaccines, medications, dietary supplements, remedies and digestive aids for livestock and poultry, defoliants and chemicals, including MH 30. Repeals GS 105-164.4(1)(b) (placing semen used in artificial insemination of cattle in 1% sales tax bracket). Amends GS105-164.13 (sales tax exemption pertaining to agriculture) by adding semen used in artificial insemination of cattle to agricultural items exempted from application of sales tax. Effective July 1, 1967.] To Finance.

HB 254 - Introduced by Paschall
"To provide a copy of the Session Laws, a copy of the House and Senate Journals, and a copy of the Supreme Court Reports to Atlantic Christian College." [As title indicates. Adds Atlantic Christian College to list of educational institutions entitled to receive one copy each of publications named in title, under GS 147-45.] To Finance.

HB 255 - Introduced by Twiggs
"To require that those buildings and facilities, constructed in the State by the use of State, county or municipal funds, shall adhere to the principles prescribed by this act in order to make these buildings and facilities accessible to, and useable by, the physically handicapped." [Establishes standards for all buildings or other facilities used by the public which are constructed in whole or part with funds of State or any of its political subdivisions so that they will be accessible to, and functional for people using wheelchairs, braces, crutches or otherwise impaired by physical disability,

incoordination or aging in their ability to move, use appliances, see or hear. Standards are designated as to location, size and nature of construction of structural components of covered facilities including walks, ramps, grading of entrances, platforms, parking lots, elevators, doors, stairs, handrails, floors, toilet rooms, water fountains, public telephones, signs, manholes, simultaneous visible and audible warning signals, and controls for such things as lights, windows and fire alarms. Standards shall be adhered to in all facilities in process of construction or constructed after effective date of act except when "authority responsible for construction" for particular governmental department, agency, or unit concerned shall determine that full compliance with any particular standard is impracticable. Responsibility for enforcement of act shall be as follows: State Dept. of Public Instruction where State school funds utilized; Director of Dept. of Administration where State funds utilized; and respective governing bodies where funds of counties, municipalities or other political subdivisions utilized.] To Judiciary 2.

HB 256 - Introduced by McMillan of Wake

"To amend G.S. 20-141 relating to speed on highways and other property." [Extends application of GS 20-141(a) (which prohibits driving a vehicle at a speed greater than reasonable and prudent under existing conditions) to parking lots, drives, driveways, roads, roadways, streets or alleys upon grounds and premises of any public or private hospital, college, university, church, benevolent institution, school orphanage or any institutions maintained and supported by State or its subdivisions, or upon grounds and premises of any service station, drive-in theater, supermarket, store, restaurant or office building, or any other business or municipal establishment, providing parking space for customers, patrons or public (section now applies only to driving on highways).] To Highway Safety.

HR 262 - (Joint Resolution) Introduced by Hamrick and Bailey

"Directing the Governor's Coordinating Council on Aging to make a study concerning effects of taxation on senior citizens in North Carolina." [As title indicates; study to include consideration of any tax laws financially burdensome to senior citizens and comparison of State and local tax laws with those of other states as they apply to senior citizens. Directs Council to make findings and recommendations available to 1969 General Assembly in its biennial report required by GS 143-283.22 or otherwise.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 250 - (Swain) Introduced by Taylor

"To appoint the members of the Board of Education of Swain County." [Appoints James Coggins, Jack Wiggins, P.S. Ferguson, Dr. J.L. Woody and James Myers as members of Swain County Board of Education. Members to take oaths by first Monday in April, 1967 and hold office for 2-year terms, until first Monday in April, 1969.] To Education.

HB 252 - (Bladen) Introduced by Clark

"To amend GS 115-18, to provide for the election of the Board of Education of Bladen County." [Adds paragraph to GS 115-18 stating that Board of Education of Bladen County shall consist of five members nominated and elected by voters of the entire county for staggered 4-year terms; present members to continue in office until successors elected and qualified. Provides that five members be nominated and elected at primary and general election for county officers in 1968 and that two candidates receiving most votes in election to serve four year terms, others two years (in cases of ties, county elections board to determine terms). Provides that GS Article 5, Chapter 115 (making various provisions relating to schools and school boards) applies to Bladen County except as modified by this Act.] To Education.

HB 257 - (Catawba) Introduced by Poovey
"Amending Chapter 477 Session Laws of 1963 creating the Hickory Regional Planning Commission." [Amends SL 1963, Ch. 477, Sec. 5(d) (requiring planning commission prior to adoption of zoning plan, subdivision regulation or other plan to advertise and conduct at least one public hearing thereon at which interested persons shall have opportunity to be heard) to provide that commission may (now, shall) advertise and conduct hearings.] To Local Government.

HB 258 - (Catawba) Introduced by Poovey
"To amend certain sections of the Charter of the City of Hickory as contained in Chapter 323 Session Laws of 1961." [Amends Hickory Charter to provide for nomination and election of aldermen at large (now by wards) for 4-year staggered terms (now all elected for 2-year terms). Provides for three aldermen to be elected for 3-year terms in 1967, nominated from wards 4, 5 and 6; three aldermen to be elected for 4-year terms in 1968, nominated from wards 1, 2 and 3; mayor to be elected for 3-year term in 1967 and thereafter for 4-year term (now 2-year term). Provides for $1,200 annual compensation for mayor and aldermen (now maximum annual $600 for council members). Adds provision for $25 filing fee for candidates for city offices. Repeals provision that compensation of registrars and judges of election shall not exceed amount allowed by law for registrars and judges of election holding elections for General Assembly. Provides for opening of registration books at 9:00 a.m. on 4th Saturday before municipal elections, and repeals present provisions for closing of registration books at sunset on 2nd Saturday before elections, keeping books open from 9:00 a.m. to sunset each day of registration period, and requiring registrar to attend at his polling place each Saturday during registration period from 9:00 a.m. to sunset. Adds provision that city-owned real property held for urban redevelopment or public housing purposes may be sold at private sale to highest bidder after public hearing advertised for two successive weeks, with written consent of Hickory Public Housing Authority and Hickory Redevelopment Comm'n. Adds requirement that officials may not designate locations of traffic control devices under charter procedures without previous declaration of intent to city council at least two days prior to a regular council meeting. Repeals charter chapter providing for Municipal Court of Hickory.] To Local Government.

HB 259 - (Graham) Introduced by McGlamery by request
"Fixing the compensation of certain officials in Graham County." [Fixes annual salary of Graham County officials as follows: County Accountant - $4,347.00; Clerk to County Accountant - $3,807.28; County Attorney - $1,380.00; Register of Deeds - $3,139.36; Clerk to Farm Agent - $1,352.40; High Deputy Sheriff - $3,795.00; Jailor - $1,725.00; Tax Supervisor - $2,707.84; Janitor - $2,707.84; Service Officer - $1,207.50; Chairman, County Comm'rs - $1,380.00; Member, County Comm'rs - $690.00; Sheriff - $4,800.00. Effective July 1, 1967.] To Salaries and Fees.

HB 260 - (Pasquotank) Introduced by Culpepper and Godwin
"To amend Chapter 158, Session Laws of 1963, relating to the Charter of the City of Elizabeth City and the redefining of the corporate limits thereof." [Amends SL 1963, Ch. 158, Sec. 3 by redefining corporate limits by metes and bounds.] To Counties, Cities and Towns.

HB 261 - (Greene) Introduced by Horton
"To amend the Charter of the Town of Hookerton to provide for the popular election of mayor." [Amends Priv. L. 1907, Ch. 218, Sec. 8 to provide for election at each regular biennial election of mayor and four comm'rs (section now provides for comm'rs to select town governing officers, including the mayor). Provides for nomination of mayor and comm'rs by filing-of-candidacy, and specifies filing form; provides for $10 filing fee.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 97 - (Joint Resolution) Honoring Joel. Received from Senate; sent to Rules.

HB 111 - No clam lease. Passed second and third readings.
HB 177 - Martin extension unit. Reported favorably; re-referred to Appropriations.
HB 208 - Ornamental crop research. Reported favorably; re-referred to Appropriations.
HB 223 - Construing charitable trusts. Passed second and third readings.
HB 247 - Choleric swine slaughter. Reported favorably.
HR 248 - (Joint Resolution) Honoring Carolina hoopsters. Passed second and third readings.

LOCAL BILLS

HB 218 - (Lee) Courthouse annex use. Passed.
HB 219 - (Lee) Drawing additional jurors. Passed.
HB 232 - (Hoke) Drawing jurors. Passed.
HB 234 - (Johnston) Benson elections. Passed.
HB 239 - (Alamance) Court costs. Passed.

The Speaker appointed the following Representatives to a committee established by HR 241 to make arrangements for honoring US Army Specialist 6 Lawrence Joel: Hamrick, Ingle, Raynor.

The Speaker appointed Representative Royall to the Legislative Building Governing Commission.

Next session of House: 12 noon, Thursday, March 16, 1967.

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BULLETIN NO. 27

Thursday, March 16, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 106 - Introduced by Allsbrook

"To consolidate and revise the provisions of Chapter 50 of the General Statutes relating to alimony and alimony pendente lite, and to amend other statutes relating to divorce and alimony." [As title indicates. Repeals GS 50-14 (alimony on divorce from bed and board), GS 50-15 (alimony pendente lite and notice to husband), and GS 50-16 (alimony without divorce and custody of children) and substitutes new GS 50-16.1, -16.2, -16.3, -16.4, -16.5 -16.6, 16.7, -16.8, -16.9, and -16.10 providing as follows: GS 50-16.1 defines terms ('dependent spouse', 'supporting spouse', 'alimony', 'alimony pendente lite') as used in statutes relating to alimony and alimony pendente lite. GS 50-16.2 provides that dependent spouse is entitled to alimony when (1) supporting spouse commits adultery, (2) involuntary separation of spouses occurs in consequence of criminal act committed by supporting spouse prior to proceeding in which alimony is sought, and spouses live separately for one year and plaintiff or defendant resides in State for six months, (3) supporting spouse engages in unnatural or abnormal sex act with person of same or different sex or with beast, (4) supporting spouse abandons dependent spouse, (5) supporting spouse maliciously turns dependent spouse out of doors, (6) supporting spouse endangers life of dependent spouse by cruel or barbarous treatment, (7) supporting spouse makes life unbearable for dependent spouse through personal indignities and abuse, (8) supporting spouse is spendthrift, (9) supporting spouse makes life unbearable for dependent spouse by excessive use of alcohol or drugs, (10) supporting spouse makes life unbearable for dependent spouse by wilfully failing to provide dependent spouse necessary subsistence according to his or her means. GS 50-16.3 provides that dependent spouse party to action for absolute divorce, divorce from bed and board, annulment, or alimony without divorce, is entitled to alimony pendente lite when evidence indicates such spouse entitled to relief and has insufficient means to subsist during litigation and to defray such expenses; determination of amount and payment of alimony pendente lite should be in same manner as alimony except that alimony pendente lite should be limited to pendency of suit in which application is made. GS 50-16.4 authorizes court upon application of dependent spouse entitled to alimony pendente lite to reasonable counsel fees paid and secured by supporting spouse in same manner as alimony. GS 50-16.5 provides that amount of alimony depends upon circumstances of parties, taking into account their estates, earning, earning capacity, condition, accustomed standard of living and other facts relevant to particular case; except in cases of adultery, fact that dependent spouse commits act which would be grounds for alimony if such spouse were supporting spouse, shall be grounds

for disallowance or reduction of alimony when pleaded. GS 50-16.6 provides that alimony and alimony pendente lite is not payable when adultery is pleaded in bar, and issue of adultery is found against spouse seeking alimony, except it shall not bar reasonable counsel fees; and that alimony, alimony pendente lite, and counsel fees may be barred by express provision of valid separation agreement if agreement is performed. GS 50-16.7 provides method of paying alimony and alimony pendente lite and sets out enforcement procedures. GS 50-16.8 sets out civil procedure with exceptions in actions for alimony and alimony pendente lite. GS 50-16.9 provides that court orders for alimony or alimony pendente lite may be modified or vacated at any time upon motion in cause and showing of changed circumstances by either party or anyone interested but not applying to consent orders before October 1, 1967. Should dependent spouse receiving alimony remarrys, alimony terminates unless cause shown for continuance. When alimony order is entered by court of another jurisdiction NC court may, upon gaining personal jurisdiction of both parties in civil action and upon showing of changed circumstances enter new order for alimony modifying or superceding old order to extent that it could have been so modified in jurisdiction where it was originally granted. GS 50-16.10 pursuant to Art. 24, Ch. 1 of General Statutes permits alimony without action by confession of judgment.

Amends GS 50-11 (effects of absolute divorce) by providing that except in case of divorce obtained with personal service on defendant spouse (now wife), either within or without State, upon grounds of adultery of dependent spouse (now wife's adultery) a decree of absolute divorce shall not impair or destroy right of spouse to receive alimony. Provides that divorce obtained outside State in action in which jurisdiction over dependent spouse was not obtained shall not impair or destroy right of dependent spouse to alimony as provided by laws of this State. (new)

Amends GS 1-440.2 (actions in which attachment may be had) by allowing attachment in any action for alimony or for maintenance and support (now in any action by wife for alimony or for maintenance and support).

Amends GS 6-21 (cost in civil actions) to provide that attorneys' fees in alimony actions shall not be included in 'costs' but shall be determined and provided for consistent with GS 50-16.4.

Amends GS 1-410(5) (civil arrest) to define 'creditors' as including a dependent spouse claiming alimony.

Amends GS 50-7(5) (grounds for divorce from bed and board) to permit bed-board divorce if either party makes life of spouse unbearable by excessive use of alcohol or drugs.

Amends GS 50-5(5) (grounds for absolute divorce) to provide for absolute divorce if either party engages in unnatural or abnormal sex act with person of same or different sex or with beast. Act not to apply to pending litigation. Effective October 1, 1967.] To Judiciary 1.

SB 107 - Introduced by Allsbrook

"To rewrite the statutes relating to custody and support of minor children." [Repeals GS 17-39 (custody of child when parents separated, GS 17-39.1 (award of disputed custody of child to one who will best promote welfare of child), GS 17-40 (appeal of custody judgement to Supreme Court), GS 50-13 (custody of children in divorce), and GS 50-16 (alimony without divorce and custody of children in such cases).

Consolidates, clarifies, and simplifies repealed sections by adding new sections to GS Ch. 50 as follows:

GS 50-13.1. Provides that one may institute action for custody of minor child in manner described in following sections. GS 50-13.2. Provides that custody award to be to one who, in opinion of judge, will best promote the interest and welfare of child, and that order may divide custody among various entities for desirable periods of time. If order permits taking child from State, judge may require security for return of child. GS 50-13.3.

Provides that custody awards may be enforced by contempt punishment per GS 5-8 and -9 (contempt proceedings) and by injunction per GS Art. 37, Ch. 1 (injunctions). GS 50-13.4. Provides that one having or bringing action for custody of child may institute action for support of child--father, mother, or entity standing in loco parentis to be liable, in that order, for support of child unless other circumstances warrant (including relative ability or inability of those to provide support, and needs and estate of child). Orders for payment to be for as much as needed to meet reasonable needs of child for health, education, and maintenance with due regard for estates, earnings, conditions and accustomed standard of living of child and parties. Payments are to be made by lump sum, periodically, or by transfer of title to property and to be made to the one having custody of child or any other one for benefit of child. Spells out detailed remedies for enforcement of award. GS 50-13.5. Provides that procedure for custody and support and habeas corpus for child, to be as in other civil and habeas actions except as otherwise provided. Spells out possible types of actions. Jurisdiction in support awards to be as in actions for payment of money or transfer of property. Jurisdiction in custody actions to exist when child resides, has domicile, or is physically present in State or when court has personal jurisdiction of one having actual custody of child. Rights to custody may be adjudicated even when child not actually before court. Court, upon finding that court in another state has assumed jurisdiction and best interests of child would be to let that other court dispose of case, may dismiss, refuse to exercise jurisdiction, or enter such orders from time to time as interest of child may require. Court also may stay further proceedings in State upon determination that proceedings could best be tried in another state where no action has been instituted if party so moving consents to suit in the more convenient jurisdiction. Process to be made as in other civil or habeus corpus proceedings; spells out various notice provisions. Venue to be in county where child resides, or is physically, or in a county where parent resides except as otherwise provided. If ADA (actions for divorce absolute or from bed and board, alimony without divorce or annulment) has been instituted, any action for custody or support to be joined with it, or if ADA institute subsequently, court may direct that two actions be joined in appropriate court. Orders for custody and support may be entered when matter is before court irrespective of rights of wife and husband as between themselves in ADA. Where action is before district judge, action to be heard by judge without jury; otherwise to be heard by one of various specified judges in or out of session.

GS 50-13.6. Provides that in action for custody or support, court may allow reasonable attorney's fees to dependent spouse who is unable to defray expenses of suit. GS 50-13.7. Provides that order for custody or support may be modified or vacated at any time upon motion and showing of change circumstances if order is either of court of this State or of court of another state if court in this State has gained jurisdiction.

Amends GS 1-440.2 (actions in which attachment may be had) to include action for custody or support and amends GS 1-410.5 (providing civil arrest of one disposing of property to defraud creditors) to include as "creditor" a minor child entitled to an order for support. Effective October 1, 1967.]
To Judiciary 1.

SB 108 - Introduced by Allsbrook

"To provide for civil actions regarding illegitmate children." [Effective Oct. 1, 1967 adds new Art. 3 to GS Ch. 49 providing for civil actions regarding illegitimate children, as follows: (1) Authorizes recovery from putative father of medical expenses incident to pregnancy and childbirth, and child's funeral expenses; action to be commenced during pregnancy or within one year of termination thereof, or within three years after childbirth when joined with paternity action. Putative father's identity to be proven beyond reasonable doubt but recovery not to constitute determination of paternity. Court may retain jurisdiction until after childbirth. (2) Authorizes civil action to establish paternity, in which paternity to be proven beyond reasonable doubt (but not to effect legitimation). Action to be commenced within three years after childbirth or (if father acknowledges paternity by support payments within three years after childbirth) within three years from date of last payment but before child reaches 18. (3) After paternity is so established, mother's and father's support and custody obligations and rights shall be same as if child were legitimate. Proceedings under new article may be brought by mother, father, child, or personal representative of any of them; or by director of public welfare (if mother, for medical expenses, or child likely to become a public charge) in county where mother, father or child resides or is found. (4) Amends GS 6-21 to add proceedings regarding illegitimate children under this article to list of proceedings in which costs may be taxed against either party or apportioned, in discretion of court.] To Judiciary 1.

SR 109 - (Joint Resolution) Introduced by Buchanan

"Honoring the life and memory of Daniel Moore Allison of Jackson County." [As title indicates.] Passed three readings and sent to House.

SB 110 - Introduced by White of Cleveland

"To amend G.S. 160-204 to include sanitary landfills." [Adds sanitary landfill sites or other garbage disposal sites to purpose for which city may acquire land, rights of way, water rights privileges or easements under cited section.] To Judiciary 2.

SB 111 - Introduced by Burney and Bailey

"To amend G.S. 20-7(b), G. S. 20-7(i) and G.S. 20-7(m) providing better identification of motor vehicle operators by requiring photographs of licensees on operators' or chauffeurs' licenses." [Amends GS 20-7(i) (calling for license application to be made on approved form) to add requirement that at time of license examination applicant is to exhibit certified copy of his birth certificate or, if unavailable, other identification satisfactory to Comm'r of Motor Vehicles. Amends G.S. 20-7(i) by raising to $3.25 issuance or reissuance fee for operator's license (now $2.50) and to $4.75 for chauffeur's license (now $4.00). Amends GS 20-7(m) by adding requirement that licenses bear photograph of licensee of a size approved by Comm'r. Effective July 1, 1967. Identical with HB 160, digested in the House Section of Bulletin No. 19.] To Public Roads.

SB 114 - Introduced by Burney and others

"To appropriate funds to provide research and education on blueberries." [Identical with HB 263, digested in the House section of today's bulletin.] To Appropriations.

SB 115 Introduced by Gilmore

"To provide for alternate members of enlarged municipal boards of adjustment." [Amends G.S. 160-178 to delete the limitation on the number of alternate members which town governing board may appoint to serve on its zoning board of adjustment (now, not more than two). Amends GS 160-181.2 to provide that if town governing board adopts extraterritorial zoning regulations, it shall add alternate members, who are residents of the zoned area outside corporate limits, to serve on its zoning board of adjustment in equal number to alternates then serving (now, no provision for extraterritorial alternates). To Local Government.

SB 116 - Introduced by Byrd and Warren

"To amend G. S. 7A-288 and G. S. 7A-304(b) with respect to certain criminal appeals." [Adds to GS 7A-288 provision that appeal to superior court from district court by convicted defendant may be withdrawn within 20 days after notice of appeal given, or ten days before next criminal session of superior court convenes, whichever is later. Conforms GS 7A-304 by providing that (cumulative) court costs shall not be assessed for superior court where appeal thereto is timely withdrawn.] To Courts and Judicial Districts.

SB 117 - Introduced by Whitehurst

"To amend G.S. 20-129(a) to require use of head lamps on motor vehicles from sunset to sunrise." [Identical with HB 265, digested in the House section of today's bulletin.] To Highway Safety.

LOCAL BILLS INTRODUCED -- SENATE

SB 112 - (Orange) Introduced by Matheson

"To amend Chapter 504 of the Session Laws of 1965 so as to authorize the Town of Hillsborough to designate and protect historic buildings and districts." [Amends SL 1965, Ch. 504, Sec. 3, to add Hillsborough and the areas surrounding it which are now or may subsequently be included within its zoning jurisdiction, to those municipalities which may designate and protect historic buildings and districts under the act.] To Local Government.

SB 113 - (Orange) Introduced by Matheson

"To amend Chapter 279 of the Session Laws of 1947 as the same applies to the election of Town Commissioners in the Town of Hillsborough." [Amends Hillsborough Charter to provide for staggered 4-year terms for Hillsborough Commissioners (now, all serve 2-year terms). 1967 town elections to elect five commissioners; three candidates receiving highest number of votes to serve 4-year terms, two candidates receiving next highest number of votes to serve 2-year terms. Ties involving 4-year terms to be determined by mayor; tie involving 5th comm'r to be settled by second election to be called by town commissioners and held on 4th Tuesday after 1st Monday in May following. After 1967 election all commissioners to be elected to 4-year terms. Vacancies on commission to be filled by remaining commissioners for unexpired term.] To Local Government.

SB 118 - (Buncombe) Introduced by Briggs and Dent

"To authorize the Sheriff's Department of Buncombe County to maintain a police radio and identification bureau." [Repeals Pub. Loc. L. 1941, Ch. 262 (authorizing Asheville and Buncombe County to jointly maintain a police radio and identification bureau and creating a commission to administer same). Provides for transfer of all property belonging to City-County Radio and Identification Bureau Commission to County of Buncombe. Empowers sheriff's dept. to assume custody and control of all equipment now owned by commission and City-County Identification Bureau. Empowers sheriff's dept. to provide

police radio and bureau of identification in county, and to hire and fix salaries of employees and purchase equipment, with costs to be borne by county in accord with budget approved by county governing body.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging. Reported favorably as to committee substitute. Committee substitute adopted identical with HB 209 digested in Bulletin No. 22 except in these respects: makes no reference to necessity of club receptacles' bearing name of club member owning alcoholic beverage contained therein and being locked with access only to such member, or to inapplicability of Act to possession, sale, manufacture or transportation of beer, wines or ales containing an alcoholic content of 14% or less; adds provision that makes possession or consumption of alcoholic beverages on licensed premises legal only if quarterly gross receipts from sale of meals exceeds quarterly gross receipts from sale of alcoholic beverages of less than 14% of alcohol by volume and requires that any business holding "on-premise" permit from State Board of Alcoholic Beverage Control and not meeting requirements of Act so as to make legal the consumption of alcoholic beverages of more than 14% alcohol must display sign saying that such consumption is illegal. Placed on calendar for March 22.

SB 42 - Court of Appeals. Reported favorably as to committee substitute. Committee substitute adopted identical with SB 42 digested in Bulletin No. 9 except in these respects: (1) authorizes Administrative Office of Courts (AOC) to sell Appellate Division reports and advance sheets to general public, at not more than cost plus 10%; (2) authorizes AOC to furnish advance sheets of Appellate Division to superior court solicitors and to Supreme Court Library; (3) authorizes AOC to procure bonding of clerk of Supreme Court and Court of Appeals in same manner (blanket) as clerk of superior court; (4) authorizes seal of office for clerk of Supreme Court and Court of Appeals; (5) gives Supreme Court marshal civil and criminal powers of a sheriff; (6) adds new Sec. 7A-28 providing that appeals from superior court in post-conviction hearing under Art. 22, Ch. 15, go by writ of certiorari to Court of Appeals, and no further amending GS 15-222 accordingly; and (7) minor technical and conforming amendments; (8) provides that Governor, on or after March 1, 1969 (was January 1, 1969) shall appoint the third three man panel of C/A judges. Placed on calendar for March 21.

SB 44 - Craven Tech. Withdrawn from Appropriations; re-referred to Education.

SB 68 - County peddler regulation, as amended in Senate 3/15. Floor amendment adopted providing Act not to repeal any local act relating to practice of palmistry, fortune telling or clairvoyance. Passed second and third readings.

SB 71 - Minor girls employment. Reported favorably as to committee substitute. Committee substitute adopted deleting from GS 110-2, which regulates hours of work for minors, proviso that girls between 16 and 18 shall not be employed or allowed to work before 6:00 a.m. or after 9:00 p.m. (thereby leaving such girls subject to prohibition against working before 6 a.m. or after midnight).

SB 75 - Cancer Study Commission. Amendment adopted removing $5,000.00 limit on expenses for Commission, and subjects such expenses to approval of Governor and Council of State. Passed second and third readings.

SB 79 - Beer makers' shipments. Amendments adopted making technical change and adding proviso that beverage manufacturer may sell "short filled" packages to its employees only "for the sole use of said employees, members of their families and bona fide guests."

SB 80 - Workmen's Compensation benefits. Reported favorably as to committee substitute. Committee substitute adopted raising maximum amount of compensation to $15,000 in all instances where originally $14,700 and amends GS 97-31 to increase maximum compensation for serious facial or head disfigurement, serious bodily disfigurement for which compensation payable under subdivision 22 of section, and loss of or permanent injury to any important external or internal organ or part of body for which compensation payable under subdivision 24 of section to $4,000 (now $3,500) and amends GS 97-40 to increase maximum burial expenses payable by employer to $500 (now $400).

SR 109 - (Joint Resolution) Memorializing Allison. Passed second and third readings.

HB 111 - No clam lease. Received from House; sent to Conservation and Development.

HB 144 - Gambling surveillance repeal. Withdrawn from Counties, Cities and Towns and re-referred to Judiciary 1.

HB 223 - Construing charitable trusts. Received from House; sent to Judiciary 1.

LOCAL BILLS

SB 101 - (Henderson) JP fee raise. Passed.

SB 102 - (Catawba) Newton-Conover school limits. Passed.

HB 64 - (Stanley) County planning board. Passed.

HB 106 - (Wake) Raleigh rewards. Amendment adopted providing: (1) designated reward for information leading to arrest and conviction of person or persons who (a) willfully takes, defaces, damages or destroys property, either personal or real (originally, who willfully deface, damage or destroy property, personal or real, or take personal property belonging to or under control of City of Raleigh) or (b) willfully injurs or takes life of any person in Raleigh (originally, who willfully injurs or takes life of any employee or officer of Raleigh while such employee or officer is engaged in the performance of his official duties) or (c) commits any felony in Raleigh (new); and (2) in cases involving minors, term "conviction" shall include any punishment administered by Juvenile or District Court. Passed.

HB 107 - (Robeson) Red Springs delinquent taxes. Passed.

HB 109 - (Davidson) Lexington catwalk. Passed.

HB 125 - (Lee) Sanford elections, as amended in House 3/9 and 3/14. Passed.

HB 126 - (Lee) Mileage allowance. Passed.

HB 161 - (Hoke) Ass't tax supervisors. Passed.

HB 162 - (Hoke) Commissioners meeting place. Passed.

HB 163 - (Wayne) Town-county merger. Passed.

HB 167 - (Guilford) Greensboro Charter amendments. Amendment adopted correcting typographical error. Passed.

HB 174 - (Gaston) Township tax lister. Passed.

HB 178 - (Duplin) ABC revenue uses. Passed.

HB 194 - (Buncombe) Eliada Home appropriations. Passed.

HB 218 - (Lee) Courthouse Annex use. Received from House; sent to Courts and Judicial Districts.

HB 219 - (Lee) Drawing additional jurors. Received from House; sent to Courts and Judicial Districts.

HB 232 - (Hoke) Drawing jurors. Received from House; sent to Courts and Judicial Districts.

HB 234 - (Johnston) Benson elections. Received from House; sent to Local Government.
HB 239 - (Alamance) Court costs. Received from House; sent to Courts and Judicial Districts.

BILLS RATIFIED

HB 31 - (Union) Worthless checks. [Ch. 49]
HB 129 - Bed-board divorce. [Ch. 50]
HB 145 - (Pitt) Ayden corporate limits. [Ch. 51]
HB 183 - (Carteret) Ratifying land conveyances. [Ch. 52]
HB 196 - Pamlico) Marriage license delay repeal. [Ch. 53]
HR 241 - (Joint Resolution) Honoring Joel. [R 22]
HR 248 - (Joint Resolution) Honoring Carolina hoopsters. [R 23]

Next session of Senate: 10:00 a.m., Friday, March 17, 1967.

BULLETIN NO. 27
Thursday, March 16, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 263 - Introduced by Johnson of Duplin and others
"To appropriate funds to provide research and education on blueberries." [Appropriates from General Fund to Agricultural Experiment Station $87,475 for fiscal year 1967-68 and $84,575 for fiscal year 1968-69 for blueberry research and education. Spells out specific amounts available for production research, disease control research, and varietal development during each year of biennium, and proportions under each heading for professional services, equipment, and maintenance and operation. Appropriates from General Fund to Agricultural Extension Service $14,000 for each year of biennium for same purpose, with all such funds allocated to production - professional service. Amounts for professional personnel ($34,000 in each year of biennium) and for subprofessional help, equipment, and maintenance and operation ($67,475 for 1967-68 and $64,525 for 1968-69) to be assigned and made available to Experiment and Extension Service in accord with amounts indicated, which are to handle and coordinate administration and expenditure of funds. Expenditures to be accounted for and reported to fiscal and financial system of agency to whom appropriation is made.] To Appropriations.

HB 264 - Introduced by Love and Staton
"To amend the statute prohibiting certain nuisances." [Amends GS 19-1 (defining nuisances) to include illegal sale of beer among those things defined as a nuisance, where the person or building sought to be enjoined from such practice is not subject to the Beverage Control Act of 1939 (GS 18-63, 93).] To Judiciary 2.

HB 265 - Introduced by McKnight
"To amend G.S. 20-129(a) to require use of head lamps on motor vehicles from sunset to sunrise." [Rewrites GS 20-129(a) to provide that no vehicle may be operated on street or highway in State between sunset and sunrise (now from a half hour after sunset to a half hour before sunrise) or at any other time when there is not sufficient light to render clearly discernable any person on street or highway at distance of 200', unless equipped with head lamps and rear lamps as section prescribes. Retains exemption with respect to lighting of parked vehicles (GS 20-134). Adds that no vehicle may be operated on streets or highways with lighted parking lights only during period when lights required.] To Highway Safety.

HB 268 - Introduced by High and Raynor
"To amend Chapter 90 of the General Statutes, relating to the practice of chiropractic in North Carolina." [Amends GS 90-18(10) (defining practice of chiropractic for purposes of exclusion from definition of the practice of medicine or surgery) to read: "The practice of chiropractic by any legally licensed chiropractor when engaged in the practice of chiropractic, and without the use of any drug or surgery" (now, "The practice of chiropractic by any legally licensed chiropractor when engaged in the manual adjustment of the twenty-four spinal vertebrae of the human body and without the use of drugs"). Amends GS 90-142 (empowering State Board of Chiropractic Examiners to adopt rules and regulations for performance of their duties) to empower board also to adopt rules and regulations for emforcement "of this Act". Amends GS 90-143 (defining chiropractic in part as "the science of adjusting the cause of disease by realigning the twenty-four moveable vertebrae of the spine") to delete the words "twenty-four moveable vertebrae of the".] To Health.

HB 269 - Introduced by Auman

"Amending G.S. 106-498 relating to the financial responsibility of handlers of farm products." [Amends GS 106-498 by requiring that no farm handler permit be issued to handler not operating strictly on cash basis and who incurs or may incur financial liability to any grower unless furnishing Commissioner of Agriculture evidence of ability to carry out contract or furnishing satisfactory bond in an amount not less than $10,000 (now not exceeding $10,000). Comm'r may require new or additional bonds when necessary for protection of producer (new). Effective July 1, 1967. Identical with SB 98 digested in Senate section of Bulletin No. 25.] To Agriculture.

HB 272 - Introduced by Twiggs

"To amend Chapter 20 Article 2A of the General Statutes of North Carolina by adding thereto a new section designated GS 20-37.2 to provide for the issuance and the use of distinctive flags and distress signals by handicapped or paraplegic drivers of motor vehicles." [Adds GS 20-37.2 authorizing handicapped or paraplegic drivers, as defined, when getting in or out of vehicles or in vehicle distress to display white flag of reflective material, and of designated size with letter "H" in red color. Comm'r of Motor Vehicles authorized to issue such flags and identity cards authorizing use of flag, for $2 fee ($1 replacement), and to maintain list of persons to whom issued. Use of such flags as distress signals or otherwise by persons who are not handicapped or paraplegic declared to be a misdemeanor, punishable by $200 fine or imprisonment for not less than six months or both, in discretion of court.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- HOUSE

HB 266 - (Cleveland) Introduced by Mauney

"To abolish the office of jailor, in Cleveland County, as created under Chapter 207, Public-Local and Private Laws of 1939." [As title indicates; general laws relating to jailors and jails become applicable in County. Effective July 1, 1967.] To Local Government.

HB 267 - (Dare) Introduced by Burrus

"To amend Chapter 148 of the Session Laws of 1963 relating to the charter of the Town of Nags Head, and to amend said charter concerning the election of the members of the governing body of said town." [Amends SL 1963, Ch. 148, Sec. 2 to require candidates for office of town commissioner to pay filing fee to the town clerk and treasurer of $10 (now, no filing fee specified).] To Counties, Cities and Towns.

HB 270 - (Bladen) Introduced by Clark of Bladen

"To amend G.S. 153-5, to provide for the election of the Board of County Commissioners of Bladen County." [Adds to GS 153-5 (local modifications relating to county commissioners) provision that Bladen Board of Commissioners consist of five members (three, under general law), elected by voters of entire county; present members of board to serve until successors elected and qualified. 1968 Bladen primary and general elections to nominate and elect five members to board. Two candidates receiving highest number of votes elected for 4-year terms; three receiving next highest votes to serve 2-year terms. In 1970 and biennially thereafter, members of board to be nominated and elected to 4-year terms to take place of members whose terms next expire. Members elected in 1968 and thereafter to assume office on first Monday in Dec. of year elected. Tie election in 1968 to be resolved by county board of elections deciding which candidates to serve 4-year terms and which to serve 2-year terms.] To Local Government.

HB 271 - (Bladen) Introduced by Clark
"To amend Chapter 511, Session Laws of 1951, to provide for the election of mayor and commissioners in the Town of White Lake." [Provides for White Lake governing body to consist of mayor and three (now five) comm'rs; mayor to serve 2-year term and comm'rs to serve staggered 4-year terms (two candidates receiving most votes in May 1967 elections to serve 4-year terms and third highest candidate to serve two years; board of canvassers to determine ties). Provides for election of mayor and comm'rs by qualified voters of town (now appointed by Governor from top five candidates voted by freeholders of town). Vacancies to be filled by remaining comm'rs for unexpired terms. Elected mayor and comm'rs to qualify and begin terms on Friday following election.] To Local Government.

HB 273 - (Edgecombe) Introduced by Eagles, Barbee and Fenner
"To make it a misdemeanor to abandon domestic animals on public highways, public places or property of another in Edgecombe County." [As title indicates.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 36 - Law-order committee, as amended in Senate 3/9. Reported favorably.
SB 37 - Ethyl alcohol testing, as amended in Senate 3/15. Received from Senate; sent to Health.
SB 61 - Space board name change. Reported favorably.
SB 76 - Revolution commission. Reported favorably.
SR 109 - (Joint Resolution) Memorializing Allison. Passed second and third readings.

HB 9 - Local speed limits. Reported unfavorably.
HB 80 - Retirements benefits exemption. Reported favorably; re-referred to Finance.
HB 87 - Court of appeals. Committee substitute adopted. Identical with SB 42 digested in Bulletin No. 9, except in these respects: (1) authorizes Administrative Office of Courts (AOC) to sell Appellate Division reports and advance sheets to general public, at not more than cost plus 10%; (2) authorizes AOC to furnish advance sheets of Appellate Division to superior court solicitors, and to Supreme Court Library; (3) authorizes AOC to procure bonding of clerk of Supreme Court and Court of Appeals in same manner (blanket) as clerk of superior court; (4) authorizes seal of office for clerk of Supreme Court and Court of Appeals: (5) gives Supreme Court marshal civil and criminal powers of a sheriff; (6) adds new Sec. 7A-28 providing that appeals from superior court in post-conviction hearings under Article 22, Chapter 15, go by writ of certiorari to Court of Appeals, and no further, amending G. S. 15-222 accordingly; and (7) minor technical and conforming amendments.
HB 97 - Trustee renunciation. Reported favorably as amended.
HB 98 - Wills revocation. Reported favorably.
HB 113 - Prosecutors mercy. Clarifying floor amendment adopted. Failed to pass second reading. Motion to lay motion to reconsider upon the table adopted.
HR 114 - (Joint Resolution) Senior citizens commission. Reported unfavorably.
HB 138 - Juries capital recommendation. Postponed to 3/21.

HR 153 - (Joint Resolution) Charlotte bicentennial comm'n. Reported favorably.
HB 166 - Spouse testimony privilege. Reported favorably.
HB 247 - Choleric swine slaughter. Passed second; postponed to 3/21.
HB 256 - Nonhighway speed limits. Reported favorably as amended.
HR 262 - Elderly tax study burden. Reported favorably.

LOCAL BILLS

HB 179 - (Person) Watershed tax. Passed.
HB 210 - (Alamance) Graham ABC profits. Passed.
HB 230 - (Bertie) Validating tax actions. Passed.
HB 244 - (Buncombe) Chamber of commerce support. Passed.
HB 246 - (Richmond) Employees salaries. Passed.

Next session of House: 10:00 a.m., Friday, March 17, 1967.

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DAILY BULLETIN

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BULLETIN NO. 28

Friday, March 17, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 119 - Introduced by Allsbrook
"To authorize the State Board of Education to establish an extension unit of the North Carolina system of community colleges in Halifax County." [As title indicates. Provides that extension unit be established and operated pursuant to policies of State Board of Education and applicable provisions of Ch. 115 and Ch. 115A of General Statutes. Appropriates to State Board of Education from General Fund of State $191,040 for fiscal year 1967-68 and $115,099 for fiscal year 1968-69 to equip and operate unit. Identical with HB 282.] To Education.

SB 120 - Introduced by Moore
"To appropriate twelve thousand dollars to the State Commission for the Blind so as to provide emergency funds for reimbursement of certain hospital expenses for emergency eye care and eye operations." [Appropriates $12,000 from General Fund to State Commission for the Blind to obtain hospitalization of patients needing emergency eye care or operations to be expended in such manner as deemed wise by Commission, irrespective of any hospital reimbursement rates published by State Department of Administration. Identical with HB 278.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 71 - Minor girls employment. (Senate Committee Substitute 3/16). Re-refered to Judiciary 2.
SB 79 - Beer makers shipments. Amended (see digest of amendments in yesterday's bulletin, erroneously reported as "adopted".) Passed second and third readings.
SB 80 - Workmen's Compensation benefits. (Senate Committee substitute 3/16) Postponed to March 20.
SB 115 - Adjustment board alternates. Reported favorably.
SB 117 - Headlight use hours. Reported favorably.

HB 22 - Presidential disability amendment. Reported favorably.

LOCAL BILLS

SB 10 - (Rowan) Salisbury elections. Passed.
HB 112 - (Martin) Jamesville boundaries. Passed third reading.
HB 164 - (Wayne) Plumbing inspectors. Passed third reading.
HB 179 - (Person) Watershed tax. Received from House; sent to Finance.
HB 193 - (Buncombe) School supplement increase, as amended in House 3/9 and 3/13. Amended to remove power to call general election under Act and restrict election purpose to that specified.] Passed second reading.
HB 195 - (Johnston) Kenly corporate limits. Passed third reading.
HB 210 - (Alamance) Graham ABC profits. Received from House; sent to Propositions and Grievances.
HB 230 - (Bertie) Validating tax actions. Received from House;sent to Counties, Cities and Towns.
HB 244 - (Buncombe) Chamber of Commerce support. Received from House; sent to Counties, Cities and Towns.
HB 246 - (Richmond) Employees' salaries. Received from House; sent to Salaries and Fees.

BILLS RATIFIED

SR 109 - (Joint Resolution) Memorializing Allison. [R 24]
HB 64 - (Stanly) County planning board. [Ch. 54]
HB 107 - (Robeson) Red Springs delinquent taxes. [Ch. 55]
HB 109 - (Davidson) Lexington catwalk. [Ch. 56]
HB 125 - (Lee) Sanford elections, as amended in House 3/9 and 3/14. [Ch.57]
HB 126 - (Lee) Mileage allowance. [Ch. 58]
HB 161 - (Hoke) Ass't tax superviosors. [Ch. 59]
HB 162 - (Hoke) Commissioners meeting place. [Ch. 60]
HB 163 - (Wayne) Town-county merger. [Ch. 61]
HB 174 - (Gaston) Township tax lister. [Ch. 62]
HB 178 - (Duplin) ABC revenue uses. [Ch. 63]
HB 194 - (Buncombe) Eliada Home appropriation. [Ch. 64]

Next sessions of Senate: 9:00 a.m., Saturday, March 18, 1967 for consideration of local bills only;
8:00 p.m., Monday, March 20, 1967.

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BULLETIN NO. 28

Friday, March 17, 1967

Session: House.-- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 277 - Introduced by Calvert

"To amend G.S. 20-84 to provide for issuance of permanent motor vehicle registration plates to the American National Red Cross." [Adds paragraph to GS 20-84 providing that DMV (Dep't of Motor Vehicles) to issue to ANRC (American National Red Cross) permanent registration plate for each motor vehicle owned and operated by local chapter of ANRC in business of ANRC, upon application and payment of $1.00 for each plate by such chapter. Provides that plate to be valid only for vehicle for which issued and so long as such vehicle operated as described; upon transfer of vehicle other than to chapter or association of ANRC within State, plate to be surrendered to DMV. Effective December 31, 1967.] To Roads.

HB 278 - Introduced by Baugh

"To appropriate Twelve Thousand Dollars to the State Commission For the Blind so as to provide emergency funds for reimbursement of certain hospital expenses for emergency eye care and eye operations." [Identical with SB 120, digested in the Senate section of today's bulletin.] To Appropriations.

HB 279 - Introduced by Britt of Johnston and others

"To make G.S. 7-89 applicable to the selection of court reporters in the Eleventh Judicial District." [Repeals GS 7-92.1 (establishing special regulations respecting court reporter of eleventh judicial district) and makes first seven paragraphs of G.S. 7-89 (general regulations respecting district court reporters) applicable to eleventh judicial district.] To Courts and Judicial Districts.

HB 280 - Introduced by Exum and Edwards

"To add Article 26 on child care to Chapter 130 on the General Statutes relating to public health." [Adds new Article 26 relating to licensing and standards of child care facilities. GS 130-227: Provides that no unlicensed individual or group shall establish or carry on any business or facility for purpose of keeping four or more minor children for any period of time per child within 24-hour period if facility open and keeping four or more such children five or more days during any year period. Child kept continuously for 24 hours not counted as child for application of section. State Board of Health to issue annually renewable license, revocable for failure of facility to comply with licensing provisions. Section not to apply to keeping of child as follows: (1) By relatives; (2) by one assuming full-time general responsibility for child residing with him; (3) by court appointed custodian or guardian; (4) as part of in-state college, university, church or public school program; (5) during religious services; (6) by facility subject to regulation or supervision of State Board of Education; (7) by legally obligated governmental instrumentality. GS 130-228: Establishes requirements for licensing facilities by providing that no individual or group shall: (1) care for children under 18 months without one adult worker per eight such children, or care for older children without one adult worker per 15 such children; (2) receive child for care unless furnished with licensed physician's medical certificate that child free from communicable disease and setting forth any special diet etc., nor shall care of child be continued for more than one year without renewal of health certificate; (3) operate facility unless providing at

least one toilet and lavatory per 15 children cared for, except those in diapers; (4) operate facility without providing at least one cot, or baby bed, with individual linen, for each child; (5) employ any person found by licensed physician unfit for annually renewable certification to work closely with children; (6) continue to operate facility unless complying with GS 72-46 (authority of State Board of Health to regulate sanitary conditions); (7) operate facility meeting specified floor space, play yard, heating equipment, and construction requirements (nc wooden building more than one story). GS 130-229: Makes applicable provisions of GS 72-46 and -47 (authorizing State Board of Health to regulate, inspect and grade with respect to sanitary conditions). GS 130-230: Provides for six month provisional licensing of facility temporarily unable to comply with all GS 130-228, renewable for six months periods to maximum of two years. GS 130-231: Makes violation of article misdemeanor punishable by $200 fine or six months imprisonment or both. GS 130-232: Makes license valid for one year unless earlier revoked by Board of Health. In event of withholding or revocation of license, applicant or licensee has right to prompt hearing before Board of Health, subject to written request made within 30 days of receipt of Boards' unfavorable action. Verbatim record of Board hearing to be kept. If Board sustains previous determination applicant has access to courts in accordance with GS Ch. 143, Art. 33 judicial review procedure except that appellant has option to appeal to superior court of county of his residence or Wake County superior court (Wake court only under GS 143-307). Effective six months after ratification.] To Health.

HB 282 - Introduced by Gregory and Everett

"To authorize the State Board of Education to establish an extension unit of the North Carolina System of Community Colleges in Halifax County." [Identical with SB 119, digested in the Senate section of today's Bulletin.] To Education.

LOCAL BILLS INTRODUCED -- HOUSE

HB 274 - (Hyde) Introduced by Burrus and Roberson

"To prohibit the taking of game from and near Secondary Road Number 1304 in Hyde County." [Prohibits hunting, taking or killing, or attempting to hunt, take or kill any species of birds or animals by use of firearms from right-of-way of Secondary Road No. 1304 or from either side of road within 100 feet of center of road. Violations are misdemeanors, punishable by a sum not to exceed $50.00 or imprisonment not to exceed 30 days, or both, in discretion of court. Authorizes enforcement by all county and state peace officers including Wildlife Protectors.] To Wildlife Resources.

HB 275 - (Mitchell) Introduced by Isaac

"To amend Chapter 256 of the Private Laws of 1889 and Chapter 248 of the Session Laws of 1951 to reduce from five to three the number of commissioners in the town of Elk Park." [Amends Priv. L. 1889, Ch. 256, Sec. 4 to reduce the number of commissioners of Elk Park from five to three, and amends SL 1951, Ch. 248, Sec. 1 to provide that at the regular election in May 1967, and biennially thereafter, mayor and three commissioners shall be elected to two year terms (now mayor and five commissioners elected biennially to two year terms).] To Local Government.

HB 276 - (Davie) Introduced by Boger

"To amend Section 9(43), Article 2, Chapter 153, of the General Statutes of North Carolina relating to tax levies for certain special purposes in certain counties as to make it apply to Davie County." [Makes Davie County subject to GS 153-9(43) (authorizing boards of county commissioners to levy annual special prcperty taxes to pay salareis and expenses of farm

and home agents and veteran's service officer, and pay salary and office expenses of county accountant).] To Local Government.

HB 281 - (Person) Introduced by Ramsey
"To make Article 17, Chapter 66, of the General Statutes, relating to closing-out sales, applicable to Person County." [Adds Person to list of counties subject to cited article, regulating closing-out sales.] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 36 - Law-Order Committee, as amended in Senate 3/9. Passed second and third readings.
SB 61 - Space Board name change. Passed second and third readings.
SB 68 - County peddlers regulation, as amended in Senate 3/15 and 3/16. Received from Senate; sent to Judiciary 2.
SB 75 - Cancer study commission, as amended in Senate 3/16. Received from Senate; sent to State Government.
SB 76 - Revolution Commission. Passed second and third readings.

HB 87 - Court of appeals. Postponed to 3/21.
HB 97 - Trustee renunciation. Amended to authorize clerk of superior court, rather than judge thereof, to appoint substitute trustee when will does not name or identify substitute trustee in case of renunciation. Provides that clerk, rather than judge, shall follow procedures stated in will to select substitute trustee unless he determines this would result in selection of unfit trustee. Passed second and third readings.
HB 98 - Wills revocation. Passed second and third readings.
HR 153 - (Joint Resolution) Charlotte Bicentennial Comm'n. Passed second and third readings.
HB 166 - Spouse testimony privilege. Passed second and third readings.
HB 256 - Nonhighway speed limits. Amended to make technical correction. Passed second and third readings.
HR 262 - (Joint Resolution) Elderly tax burden study. Passed second and third readings.

LOCAL BILLS

SB 38 - (Cabarrus) Register of deeds salary. Passed.
SB 39 - (Cabarrus) Sheriff salary. Passed.
SB 53 - (Bladen) Jury duty fees. Passed.
SB 101 - (Henderson) JP fees raise. Received from Senate; sent to Courts and Judicial Districts.
SB 102 - (Catawba) Newton-Conover school limits. Received from Senate; sent to Education.

HB 65 - (Stanly) County court juror pay. Passed.
HB 106 - (Wake) Raleigh rewards, as amended in Senate 3/16. Received for concurrence in Senate amendment; concurred.
HB 115 - (Alamance) Elon College beer sale. Passed third reading.
HB 139 - (Cleveland) Shelby election personnel pay. Passed.
HB 155 - (Richmond) Rockingham street improvements. Passed third reading.
HB 167 - (Guilford) Greensboro charter amendments, as amended in Senate 3/16. Received for concurrence in Senate amendment; concurred.
HB 168 - (Pitt) Garbage removal. Passed.
HB 213 - (Cumberland) Fayetteville rewards. Passed.
HB 216 - (Mecklenburg) Entire building condemnation. Passed.

HB 217 - (Mecklenburg) Charlotte contracts. Passed.
HB 231 - (Bertie) Special taxes-officials' pay. Passed third reading.
HB 235 - (Caswell) Appoint and salary employees. Passed.
HB 238 - (Catawba) Newton charter revision. Passed third reading.
HB 259 - (Graham) County salaries. Passed.
HB 261 - (Greene) Hookerton mayor elections. Passed.

Next sessions of House: 10:00 a.m., Saturday, March 18, 1967, for consideration of local bills only.
8:00 p.m., Monday, March 20, 1967.

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DAILY BULLETIN

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BULLETIN NO. 29

Monday, March 20, 1967

Note: The Senate convened at 9:00 a.m., Saturday, March 18, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 121 - Introduced by Allsbrook

"To amend GS 18-39(3) so as to provide funds to the Department of Mental Health for education, research, treatment and rehabilitation of alcoholics and for construction, maintenance and operation of facilities." [Rewrites GS 18-39(3) to require that proceeds from the five cents added to retail price of all bottles of alcohol be paid into the "State Department of Mental Health Alcoholic Rehabilitation Fund," (now, to be paid into General Fund); all monies so deposited after July 1, 1967 to be paid by State Treasurer to Department of Mental Health for construction, maintenance and operation of facilities for education, research, treatment and rehabilitation of alcoholics at State and local level. Repeals SL 1965, Ch. 1063, Sec. 3 (provides for appointment by Governor of commission to designate location of western and eastern alcoholic rehabilitation centers). Iden. with HB 297.] To Mental Health.

SR 122 - (Joint Resolution) Introduced by Allsbrook

"Memorializing Congress to propose amendments to the Constitution of the United States for ratification by the legislatures of the states which shall clearly separate and define the powers, functions and jurisdiction of the Federal Government and of the various states." [Requests Congress pursuant to Art. V of US Constitution to submit to other state legislatures amendments to US Constitution which (1) clearly and concretely define separation of powers between Federal and state government, (2) seek redress of cited grievances and (3) return to states powers which constitutionally belong to them. Directs Secretary of State to transmit certified copies of Resolution to US Senate and House of Representatives, to President and presiding officers of legislatures of other 49 states.] To Judiciary 1.

SR 124 - (Joint Resolution) Introduced by Bagnal and Nielson

"To pay honor to the Winston-Salem State College basketball team in the name of all the citizens of the State of North Carolina." [As title indicates.] Passed three readings and sent to House.

SB 126 - Introduced by White of Cleveland and Henley

"Relating to privilege license tax on bakery thrift stores." [Amends GS 105-98 (taxation of branch or chain stores) by redefining 'chain store' to exclude retail outlets known as 'bakery thrift stores' which are owned and operated by wholesale bakeries at locations separate and apart from and under same ownership, management and control of wholesale bakery, and used solely as outlets for retail disposition of surplus products of wholesale bakery, which do not deal in any other products and where operation of such stores is only incidental to operation of wholesale bakery. Effective July 1, 1967.] To Finance.

SB 127 - Introduced by Coggins and Bailey

"Relating to the appropriation in Chapter 916 of the Session Laws of 1965 with respect to renovation of the Edgerton Building at Dorothea Dix Hospital." [Identical with HB 283, digested in the House section of today's bulletin.] To Mental Health.

SB 130 - Introduced by Gilmore

"To extend the employment of public school professional personnel and to appropriate funds therefor." [Establishes schedule beginning with school year 1967-68 setting out term of employment of public school principals as follows: Elementary School with 7-24 teachers, a 10 1/2 month term; with 25 or more teachers, 11 month term; Junior High School with 7-19 teachers, a 10 1/2 month term; with 20 or more teachers, 11 month term; Union School with 7-19 teachers, a 10 1/2 month term; with 20-34 teachers, 11 month term, and with 35 or more teachers, a 12 month term; Senior High with 7-14 teachers, a 10 1/2 month term; with 15-24 teachers, an 11 month term, and with 25 or more teachers, a 12 month term.

Extends terms of employment of public school supervisors by one additional month beginning with school year 1967-68. Extends term of employment of public school teachers by three additional non-teaching days beginning with school year 1967-68 to be used at discretion of local boards of education. Appropriates from General Fund to State Board of Education $5,733,690 for fiscal year 1967-68, and $5,800,732 for fiscal year 1968-69 to effectuate extended terms. Effective July 1, 1967.] To Education.

SB 131 - Introduced by Gilmore

"To provide for the reduction in average classes by one pupil for each class and to appropriate sufficient funds for such purpose." [Calls for employment of 1300 additional public school teachers for school year 1967-68 and 1320 for 1968-69 to be assigned as necessary to reduce size of each class in grades one through 12 by average of one pupil for each class, as measured by 1966-67 average daily attendance. Appropriates for this purpose $8,826,963 for fiscal year 1967-68 and $8,848,176 for fiscal year 1968-69 to be credited to Nine Months School Fund of State Board of Education. Effective July 1, 1967.] To Education.

SB 132 - Introduced by Gilmore and others

"To authorize State loans and grants to cities, counties, and public airport authorities for airport development and maintenance and designating the Department of Conservation and Development to administer said Act." [Adds Article 1B to GS Ch. 113, providing as title indicates and designating Commerce and Industry Division of Dep't of Conservation and Development as State agency to administer article, subject to supervision of Director and Board of C & D. Provides for Dep't to prepare, develop and publicize standards and criteria for efficient expenditure of State funds under Act, and recommend priorities and allocations therefor; to study applications for State aid and make recommendations thereon to Board of C & D and Federal Aviation Agency (FAA);

represent State before federal agencies; conduct promotional and educational programs; and consult with Governor's Aviation Committee (GAC). Provides for GAC to consist of 11 appointees of Governor, one from each Congressional District, serving 4-year staggered terms (five initial appointees for 2-year terms); members to meet twice annually and receive $7.00 per diem plus travel and subsistence allowances generally allowed State boards and comm'ns.

Appropriates from General Fund to Dep't of C & D $500,000 for each of forthcoming fiscal years (1967-69). Authorizes loans and grants (from appropriations and private funds avilable to Dep't) of State funds for planning, acquisition, construction and improvement of airports (to be) owned or controlled by any city, county or public airport authority, acting independently or jointly with other cities or counties; FAA approved projects, such as air navigation facilities or hazard elimination or aviation easements, also eligible for State aid. Loans and grants: may be made for projects, activities and facilities eligible for FAA approval; are limited to municipal, county and public authority airports with total landing area from 3,000 to 4,500 foot length (i.e., non-carrier airports); are limited to maximum 25% of total project cost; and are subject to prior approval by Board of C & D. Authorizes acceptance, receipt, expenditure and accounting for federal, State and other funds available hereunder by municipalities, counties and public airport authorities; federal funds to be handled according to terms and conditions prescribed by US, not inconsistent with State law; State funds, according to terms and conditions prescribed by Dep't of C & D. Monies are to be deposited in separate funds by localities unless otherwise prescribed by federal or State source, and accounting of funds to be subject to Fiscal Control Acts.] To Conservation and Development.

LOCAL BILLS INTRODUCED -- SENATE

SB 123 - (Wake) Introduced by Coggins and Bailey

"To provide for the election of seven members to the Board of Education of the Raleigh City School Administrative unit, and to fix their terms of office." [Amends Ch. 856, SL 1963 to provide terms for present incumbent members of Raleigh Board of Education as follows: Theim, Holroyd and Duff until July 1, 1971; Stough and Carnage until July 1, 1969 (now specifies other terms). Raises board to seven members (now five) on July 1, 1967 and provides that the two additional members of Board shall be elected at municipal election to be held in May, 1967, for terms of two years beginning July 1, 1967, and that in elections held biennially thereafter members shall be elected for terms of four years to fill vacancies then occuring. Adds section providing that primary shall be held if, and only if, more than eight candidates file for office in years when four vacancies to be filled, the eight receiving highest number of votes in such primary to be certified as only ones to be placed on ballot for election.] To Counties, Cities and Towns.

SB 125 - (Stokes) Introduced by Gentry

"To amend Chapter 876 of the Session Laws of 1965 relating to the incorporation of the Town of King." [Reenacts SL 1965, Ch 876 (relating to prospective incorporation of Town of King) and provides that County Board of Elections may hold special incorporation election at any time (under 1965 law, prior to April 1, 1967). Amends proposed King Charter by providing for regular municipal elections to be held on specified day in each odd-numbered year (under 1965 law, elections each odd-numbered year beginning with 1967).] To Counties, Cities and Towns.

SB 128 - (Robeson) Introduced by MacLean
"To authorize the Board of County Commissioners of Robeson County, in their discretion, to appropriate funds and to levy a tax for the support and maintenance of a library in Robeson County." [Authorizes county commissioners to levy and collect annually a special tax not exceeding five cents per $100 property valuation and to appropriate monies from general fund of county for establishment, support, upkeep and maintenance of public library for county or of joint library for county and one or more municipalities within county. Declares such taxes and appropriations to be for necessary expense and for special purpose, for which special approval of General Assembly is granted.] To Counties, Cities and Towns.

SB 129 - (Robeson) Introduced by MacLean
"To authorize the Governing Body of the City of Lumberton, in its discretion, to appropriate funds and to levy a tax for the support and maintenance of a library in Lumberton." [Authorizes Governing Body of Lumberton to levy and collect annually at same time in same manner as general city taxes are levied and collected, a special tax not more than 5¢ on each $100 valuation of property in City, to establish support and maintain a public library for benefit of citizens of Lumberton or for joint County-City library. Appropriations and taxes are declared to be for necessary expense and special purpose, for which special approval of General Assembly is given. Appropriations and taxes are valid and binding without vote of majority of qualified voters of City.] To Counties, Cities and Towns.

SB 133 (Stanly) Introduced by Griffin and Boger
"To authorize the City of Albemarle to exchange certain real estate." [Authorizes mayor and governing authorities of City of Albemarle to execute and deliver to Duke Power Company a deed conveying tract described by metes and bounds and to accept from American & Efird Mills, Inc., a deed to another tract described by metes and bounds.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 80 - Workmen's Compensation benefits. (Senate Committee substitute 3/16) Passed second and third readings.
SB 115 - Adjustment board alternates. Postponed to Wednesday, March 22.
SB 117 - Headlight use hours. Postponed to Tuesday, March 21.
SR 124 - (Joint Resolution) Honoring W-S State hoopsters. Passed second and third readings.

HB 22 - Presidential disability amend. Passed second and third readings.
HB 97 - Trustee renunciation, as amended in House 3/17. Received from House; sent to Judiciary 1.
HB 98 - Wills revocation. Received from House; sent to Judiciary 1.
HR 153 - (Joint Resolution) Charlotte Bicentennial Comm'n. Received from House; sent to Conservation and Development.
HB 166 - Spouse testimony privilege. Received from House; sent to Judiciary 2
HB 256 - Nonhighway speed limits, as amended in House 3/17. Received from House; sent to Highway Safety.
HR 262 - (Joint Resolution) Elderly tax burden study. Received from House; sent to Finance.

LOCAL BILLS

SB 10 - (Rowan) Salisbury elections. (House Committee substitute 3/20) Received from House; sent to Election Laws and Legislative Representation.
SB 93 - (New Hanover) Legalizing bingo. Passed.
SB 105 - (Onslow) Plumbing inspector. Passed.
SB 112 - (Orange) Hillsborough historic district. Passed.
SB 113 - (Orange) Hillsborough comm'rs. Passed.

HB 65 - (Stanly) County court juror pay. Received from House; sent to Courts and Judicial Districts.
HB 115 - (Alamance) Elon College beer sale. Received from House; sent to Propositions and Grievances.
HB 139 - (Cleveland) Shelby election personnel pay. Received from House; sent to Salaries and Fees.
HB 155 - (Richmond) Rockingham street improvements. Received from House; sent to Counties, Cities and Towns.
HB 165 - (Wilson) Sunday closing laws. Passed.
HB 168 - (Pitt) Garbage removal. Received from House; sent to Counties, Cities and Towns.
HB 193 - (Buncombe) School supplement increase, as amended in House 3/9 and 3/13 and in Senate 3/17. Passed third reading.
HB 213 - (Cumberland) Fayetteville rewards. Received from House; sent to Counties, Cities and Towns.
HB 216 - (Mecklenburg) Entire building condemnation. Received from House; sent to Counties, Cities and Towns.
HB 217 - (Mecklenburg) Charlotte contracts. Received from House; sent to Counties, Cities and Towns.
HB 231 - (Bertie) Special taxes-officials' pay. Received from House; sent to Counties, Cities and Towns.
HB 234 - (Johnston) Benson elections. Passed.
HB 235 - (Caswell) Appoint and salary employees. Received from House; sent to Salaries and Fees.
HB 238 - (Catawba) Newton charter revision. Received from House; sent to Counties, Cities and Towns.
HB 259 - (Graham) County salaries. Received from House; sent to Salaries and Fees.
HB 261 - (Greene) Hookerton mayor election. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: 12 noon, Tuesday, March 21, 1967.

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BULLETIN NO. 29
Monday, March 20, 1967

Note: The House convened at 10:00 a.m., Saturday, March 18, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 283 - Introduced by McFadyen and others
"Relating to the appropriation in Chapter 916 of the Session Laws of 1965 with respect to renovation of the Edgerton Building at Dorothea Dix Hospital." [Provides that 1965 appropriation ($190,000) to renovate Edgerton Building for purposes of patient occupancy may be used instead to renovate said facility for purposes of accommodating central research facilities of NC Dept. of Mental Health. Identical with SB 127.] To Mental Health.

HB 285 - Introduced by Love and Staton
"To allow husbands and wives to file joint income tax returns." [Amends GS 105-152 to authorize husband and wife who are not divorced, legally separated or separated to obtain divorce, to elect to file joint State income tax return except in the case of nonresidents (unless both have income subject to tax in NC); if election is made, joint return must be filed if either would be required under GS 105-152(a)(1) or (2) to file a separate return. Husbands and wives making such election may file standard deduction under GS 105-147(22) of up to 10% of adjusted gross income or $1,000 (now $500), whichever is less, and take $3,000 exemption from net income under GS 105-149(a). Amends GS 105-149(b) to require husband and wife filing jointly, as well as individuals, to list all income, in-state and out-of-state, in order to claim such exemption; deletes provision that individual who includes out-of-state income without claiming deduction therefor has same exemption as person earning all income in NC. Modifies taxpayer's affirmation under GS 105-155 by eliminating provision that return has been examined by taxpayer and is made in good faith covering stated taxable period, and by adding requirement that husband and wife filing joint return shall both sign affirmation. Effective as to income years beginning on and after Jan. 1, 1968.] To Finance.

HB 286 - Introduced by McKnight
"To amend G.S. 24-8 of the North Carolina General Statutes so as to authorize corporations to pay any rate of interest agreed upon on loans equal to or in excess of thirty thousand dollars." [Deletes from GS 24-8, relating to loans of $30,000 or more to corporations, provision limiting maximum interest rate on such loans to 8%. Deletes provision making cited section inapplicable to loan maturing less than five years from date thereof or which provides for repayments of principal in amounts exceeding one fifth of total principal indebtedness during any of first five years of loan.] To Banks and Banking.

HB 287 - Introduced by McMillan of Robeson
"To appoint certain members of the boards of education of the respective counties of North Carolina and to fix their terms of office." [Names and fixes terms of school board members for all county administrative units except the following: Burke, Caldwell, Caswell, Durham, Forsyth, Granville, Haywood, Jackson, McDowell, Mecklenburg, Montgomery, Moore, Nash, New Hanover, Onslow, Orange, Person, Randolph, Sampson, Scotland, Vance and Wake. Named members to qualify by taking oaths by first Monday in April, 1967.] To Education.

HB 289 - Introduced by Twiggs
"To amend G. S. 20-38(2)d clarifying definition of motorcycle." [Expands cited section (definition of motorcycle) to specifically include motor scooters and motor-driven bicycles and to exclude utility vehicles with an additional device designed to transport property.] To Highway Safety.

HB 290 - Introduced by Twiggs
"To amend G.S. 20-20 to require surrender of all North Carolina drivers' licenses in the possession of any person upon cancellation, revocation or suspension of license." [Revises cited section to provide that when license issued by Dep't of Motor Vehicles is cancelled, revoked or suspended under terms of chapter, licensee shall surrender to Dep't all licenses and duplicates; licenses so surrendered to be returned to licensee at end of revocation or suspension period; wilful violators guilty of misdemeanors. (Section now provides that Dep't upon suspending or revoking a license shall require that license be surrendered to and retained by Dep't, except that at end of suspension period license shall be returned to licensee.)] To Highway Safety.

HB 296 - Introduced by Jernigan and others
"To authorize State loans and grants to cities, counties, and public airport authorities for airport development and maintenance and designating the Department of Conservation and Development to administer said Act." [Identical with SB 132 digested in the Senate section of today's bulletin.] To Conservation and Development.

HB 297 - Introduced by Raynor and others
"To amend GS 18-29(3) so as to provide funds to the Department of Mental Health for education, research, treatment and rehabilitation of alcoholics and for construction, maintenance and operation of facilities. [Identical with SB 121 digested in the Senate section of today's bulletin.] To Mental Health.

LOCAL BILLS INTRODUCED -- HOUSE

HB 284 - (Lee) Introduced by Love and Staton
"To amend Chapter 897 of the Session Laws of 1959 relating to the salary of the officials in the Town of Broadway in Lee County." [Repeals SL 1959, Ch. 897 (setting compensation of mayor of Broadway at $10 and of commissioners at $5 per regular or special meeting of town board). Amends SL 1947, Ch. 548 to set salary of mayor of Broadway at $25 per month and commissioners at $10 per month.] To Counties, Cities and Towns.

HB 288 - (Surry) Introduced by Merritt
"Relating to licensing of garbage collectors in Surry County." [Modifies GS 153-272 (control of private garbage collectors) by adding local provision authorizing Surry Comm'rs to grant exclusive licenses for garbage removal for periods up to 10 years.] To Local Government.

HB 291 - (Pender) Introduced by Ragsdale, Mills and Mohn
"To prevent the taking of deer on Black River with the aid of boats in Pender County." [Makes it a misdemeanor, punishable by a fine of not less than $50 or more than $100 or imprisonment for not less than 30 days or more than 60 days or both, to take or kill or attempt to take or kill any deer in or within 100 yards of Black River in Pender County with the aid of any boat or other floating device; provided that transportation of hunters or their legally taken game on Black River is not prohibited. North Carolina Wildlife Resources Commission given jurisdiction to enforce act.] To Wildlife Resources.

HB 292 - (Pender) Introduced by Ragsdale, Mills and Mohn
"To authorize the Wildlife Resources Commission to fix open season on doe deer in Pender County." [Authorizes Wildlife Resources Commission to fix season and bag limits or close season on any type of deer in all or part of Pender County when it finds, after investigation and public hearing (in the area to be affected) to determine the advisability of an open season on doe deer, that such action necessary to assure "adequate and balanced supply thereof." Act not to be construed to modify or abrogate any part of Art. 24, GS 143 (general wildlife resources law).] To Wildlife Resources.

HB 293 - (Pender) Introduced by Ragsdale, Mills and Mohn
"To provide for the appointment of the Auditor of Pender County." [Repeals SL 1963, Ch. 184 (providing for election of Pender auditor quadrennially). Provides that on first Monday in Dec., 1968 and biennially thereafter the Pender county commissioners shall appoint county auditor to two year term.] To Counties, Cities and Towns.

HB 294 - (Pender) Introduced by Ragsdale, Mills and Mohn
"Amending G. S. 75A-6(n) so as to make said Act, relating to safety equipment on motor boats applicable to Pender County." [Repeals exemption of Pender County from provisions of GS 75A-6(n), which requires boats of 10 hp or less to carry at least one life preserver per passenger, or other such device prescribed by regulation, carry white light in stern from sunset to sunrise, and working hand flashlight.] To Wildlife Resources.

HB 295 - (Johnston) Introduced by Britt
"To amend Chapter 1073 of the Session Laws of 1959 relating to pistol permits so as to make the same applicable to Johnston County." [Makes applicable to Johnston County cited act, which made sheriff responsible for issuing permits for pistols and other listed weapons, rather than clerk of superior court.] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 79 - Beer makers shipments, as amended in Senate 3/17. Received from House; sent to Propositions and Grievances.

LOCAL BILLS

SB 10 - (Rowan) Salisbury elections. Committee substitute adopted which provides for a filing-of-candidacy procedure for nomination of candidates to Salisbury City Council, and other elective city offices; provides for $5.00 filing fee; spells out form of ballots for council elections and prescribes non-partisan elections; repeals SL 1955, Ch. 777, providing that if no more aspirants file for nominations to city office than there are places to be filled, no party primary shall be held therefor; and repeals Priv. L. 1931, Ch. 78, §§ 1-10, providing for primary elections in the City of Salisbury. (Original bill provided for nonpartisan city primary elections and spelled out procedure for such primaries; and provided for form of ballot for municipal general election, substantially as in substitute.) Passed.
HB 243 - (Sampson) Salemburg charter revision. Passed third reading.
HB 260 - (Pasquotank) Elizabeth City boundary. Passed third reading.

Next session of House: 12 noon, Tuesday, March 21, 1967.

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BULLETIN NO. 30

Tuesday, March 21, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 134 - Introduced by Futrell

"Relating to industrial development; creating the North Carolina Industrial Development Financing Authority; defining its duties, powers and responsibilities; authorizing such Authority to finance projects for industrial development and to administer, lease and sell such projects; vesting powers in State agencies and political subdivisions respecting suchprojects; providing for the issuance of revenue bonds and revenue refunding bonds and for the terms, security and payment thereof; exempting the property, income and bonds of such Authority from taxes: and providing for the investment of funds derived as proceeds of such bonds or revenues of such projects." [Creates NC Industrial Development Financing Authority (IDA), an agency of the State with authority to construct, acquire, improve and equip industrial development projects; to issue revenue bonds for and fix charges for use of such projects; to employ consultants, attorneys, appraisers, architects and other personnel; to acquire property (including options) as project sites, or interests therein (not less than a lease terminating not earlier than 25th year from first maturity date of project bonds). (2) Defines projects as including sites, buildings, structures, and improvements or renovations or additions thereto, for use as a factory, mill, industrial distribution center or research and development facility, or facility for manufacturing, processing, assembling or handling manufactured, agricultural or mining or resource products, as well as incidental facilities such as headquarters, parking areas, warehousing, access roads, utilities, rail-trucking-aircraft-waterway improvements, but not including unrelated retail or wholesale stores or offices. (3) Provides for IDA to consist of State Treasurer, Chairman of Conservation and Development Dep't, and five members appointed by Governor who hold no other public office, including one experienced in industrial realty, one with experience in elected county government, and one with experience in elected municipal government, for staggered 5-year terms as designated by Governor. Governor to designate chairman, whose term as such is to end not later than six months after end of such Governor's term; IDA to select other officers, including executive director and secretary, with compensation fixed by Governor and Advisory Budget Comm'n. Members entitled to expenses plus per diem allowed to other State boards and comm'ns. (4) Spells out procedures for submission of projects to IDA by State and local agencies. If IDA determines that project is feasible and desirable and that IDA criteria can be complied with, IDA is to notify locality where project is to be located (city or town, or county if project not within corporate limits); local government may hold public hearing; IDA may proceed only if local governing body adopts resolution of approval. (5) Prescribes criteria for projects, including: project will make significant contribution

to economic growth of local unit where located and advance prosperity of State as a whole; project does not involve relocation of existing industry, unless clear reason therefor; lessee must be financially responsible and willing to fulfill lease; local unit must be able to cope with effects of project and provide needed local services and facilities for project and resulting population. (6) Prohibits operation of projects by IDA or other governmental agencies (except temporarily pending lease), and provides for operation of projects through leases, at expense of lessee, with rents sufficient to meet interest, principal and redemption premiums, and for a term not less than the term of the bonds. Lease may vest in lessee an option to purchase project after bonds, interest, redemption interest and premiums paid and other IDA obligations met, but not sooner than ten years from date of payment of final installment of first year's rent; purchase price to be not less than increase in value of IDA's interest. (7) Exempts IDA from taxes on project, on other properties and on income; bonds and bond income to be exempt from State and local taxes except inheritance and gift taxes; does not exempt from taxes or assessments the leasehold or other interest of project lessee. Lease agreement to require lessee to pay annually in addition to other obligations an equivalent of total ad valorem taxes that would otherwise be levied on IDA's tax exempt property. Lessee to covenant to list taxes on such property in its name, and projects shall be appraised, and assessed under Machinery Act, with lessee treated as owner for purposes of review and appeal. In-lieu tax payments to be imposed and collected in same manner as ad valorem taxes, and apportioned to (and may be used by) local units as if they were tax payments. (8) Authorizes IDA to award contracts in such manner as in its judgment will best promote fair and open competition, or on a negotiated basis if purposes of Act in its judgment will be better served. IDA may employ services of lessee or independent contractor in construction of project. Prohibits any officer, member, agent or employee of IDA or of the State or of any local unit, from having direct or indirect interest in any contract with or sale to IDA, but authorizes IDA to exempt minor interests. Provides for immediate disclosure of any such interests to IDA, and prohibits affected officers, members, agents or employees from participating on behalf of IDA in acquisition of such property. (9) Authorizes IDA to provide for issuance for particular local projects of NC Industrial Development Financing Authority Revenue Bonds, secured solely by and payable from rents, charges and other proceeds of any project, with a separate series for each project; credit of State or political subdivisions not pledged to bonds; IDA not obligated on bonds except from project revenues; projects not to be mortgaged to payment of bonds. Provides for proceeds to be used only to pay project costs, and authorizes issuance of additional bonds if necessary to meet unanticipated costs. Spells out details of interest rates, maturities (not over 40 years), form and manner of execution, interim bonds, trust agreements, and remedies of bondholders. Makes bonds and interest coupons negotiable instruments, and makes bonds eligible for investment by fiduciaries; by trust, insurance and investment companies; and by banking associations; and makes bonds proper securities for deposit with State and municipal agencies. Also authorizes issuance of revenue refunding bonds by IDA for constructing improvements or additions, or additional properties. Authorizes IDA to fix and collect fees, rents and charges from projects, sufficient to provide a fund to pay accruing debt service on bonds, such revenues to be set aside in sinking fund pledged to payment of debt service; all revenues and other receipts (including property sale, insurance, and condemnation proceeds) to be deemed trust funds for purpose of Act. Provides that no officer or member of IDA shall be personally liable on bonds. (10) Provides for IDA to quitclaim its interests in projects to affected local units (with their consent) when revenue bonds, including interest and redemption premiums, and other costs of IDA have been paid or covered by deposits in trust. Requires IDA to file annual report with Governor and General Assembly, and to have made an annual audit by State Auditor or CPA's. Authorizes Governor and Council

of State to transfer from Contingency and Emergency Fund to IDA non-obligated funds deemed necessary for its expenses of organization and first two years' administration. Identical with HB 298.] To Conservation and Development.

SB 135 - Introduced by Ellis and others

"Relating to the use, possession, and sale of certain glues and other substances containing toxic vapors capable of inducing intoxication." [Provides that intentionally smelling or inhaling fumes of certain glues in order to cause condition of intoxciation, inebriation, excitement, stupefaction or dulling of brain or nervous system, or using or possessing for that purpose, or selling or offering to sell to another person with reasonable cause to suspect use for such purpose, is a misdemeanor. Defines glue as any glue, cement, or other adhesive containing various specified chemical compounds. Glues covered by Act are those containing a solvent having property of releasing toxic vapors or fumes.] To Propositions and Grievances.

SB 138 - Introduced by MacLean

"To appropriate funds to continue the North Carolina Confederate Roster." [Appropriates from General Fund to Dept. of Archives and History $30,412 for each year of 1967-69 biennium for purpose of researching, compiling, publishing, and distributing N.C. Confederate Roster.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 136 - (Alamance) Introduced by Scott

"To provide for the election of the county board of education in Alamance County." [Provides that County bd. of education members shall continue to hold office until first Monday of July, 1968; effective that date, board to consist of five members, to be elected from each of the following districts: Graham High School (Dist. 1); Souther High School (Dist. 2); Eastern High School (Dist. 3); Western High School (Dist. 4); Burlington High School (Dist. 5); districts are described by metes and bounds. Board to be elected at time of 1968 county primary and take oath first Monday in July next succeeding election. Members elected from Dist. 2 and Dist. 3 to serve initial terms of four years; other members to serve initial terms of two years; thereafter all members elected for staggered four-year terms. Any qualified voter to be eligible to file notice of candidacy with board of elections stating district for which he files; election to be non-partisan and ballot to indicate district for which candidate is seeking election. Candidate for each district to be voted upon by electors of all districts, with candidate receiving highest vote among those standing for particular district to be declared elected; no second primary to be held. On first Monday of December of each year board to elect chairman and other officers required by N.C. General Statutes. Board to elect superintendent of schools at its meeting on or about first Mon. of April, 1969 and biennially thereafter; superintendent to take office July 1 next following his election and serve 2-yr. term. Vacancy in board membership to be filled by other members within 30 days, and if not so filled then to be filled by State Bd. of Education in accord with General Statutes. Board to include in budget request reasonable amount for travel, per diem, and subsistence incurred in performance of duties.] To Education.

SB 137 - (Robeson) Introduced by MacLean

"To fix the compensation of the Chairman and members of the Board of County commissioners of Robeson County." [Rewrites SL 1957, Ch. 929 to provide that chairman and members of Robeson County Board of Commissioners to receive monthly salaries of $150 (now $75) and $75 (now $50), respectively. Effective July 1, 1967.] To Counties, Cities and Towns.

SB 139 - (Camden) Introduced by Wood
"To prohibit the use of rifles for deer hunting in Camden County." [Makes unlawful hunting, taking, killing, or attempting to take or kill deer in Camden County with a rifle.] To Counties, Cities or Towns.

SB 140 - (Davidson) Introduced by Allen and Gilmore
"To allow the City of Lexington to release any interest it and the public generally may have in certain lands for the purpose of permitting the Lexington Telephone Company to cross a part of Marble Alley for private purposes." [As title indicates, authorizes City to permit Lexington Telephone Company to construct tramway or catwalk of not less than 18 feet clearance over Marble Alley; to be constructed according to city and state building codes.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 42 - Court of Appeals. (Senate Committee Substitute 3/16) Passed second reading.
SB 117 - Headlight use hours. Floor amendment adopted to make effective date May 1, 1967, rather than on ratification. Passed second and third readings.

LOCAL BILLS

SB 10 - (Rowan) Salisbury elections (House committee substitute 3/20) Passed.

HB 243 - (Sampson) Salemburg charter revision. Received from House; sent to Counties, Cities and Towns.
HB 260 - (Pasquotank) Elizabeth City boundaries. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 36 - Law-Order Committee, as amended in Senate 3/9. [Ch. 65]
SB 38 - (Cabarrus) Register of deeds salary. [Ch. 66]
SB 39 - (Cabarrus) Sheriff salary. [Ch. 67]
SB 53 - (Bladen) Jury duty fees. [Ch. 68]
SB 61 - Space Board name change. [Ch. 69]
SB 76 - Revolution Commission. [Ch. 70]

HB 106 - (Wake) Raleigh rewards, as amended in Senate 3/16. [Ch. 71]
HB 112 - (Martin) Jamesville boundaries. [Ch. 72]
HB 164 - (Wayne) Plumbing inspectors. [Ch. 73]
HB 167 - (Guilford) Greensboro Charter amendments, as amended in Senate 3/16.[Ch.74]
HB 195 - (Johnston) Kenly corporate limits. [Ch. 75]

Next session of Senate: 12 noon, Wednesday, March 22, 1967.

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BULLETIN NO. 30
Tuesday, March 21, 1967

Session: House 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 298 - Introduced by Jernigan
"Relating to industrial development; creating the North Carolina Industrial Development Financing Authority; defining its duties, powers and responsibilities; authorizing such Authority to finance projects for industrial development and to administer, lease and sell such projects, vesting powers in State agencies and political subdivisions respecting such projects; providing for the issuance of revenue bonds and revenue refunding bonds and for the terms, security and payment thereof; exempting the property, income and bonds of such Authority from taxes: and providing for the investment of funds derived as proceeds of such bonds or revenues of such projects." [Identical with SB 134, digested in the Senate section of today's bulletin.] To Conservation and Development.

HB 299 - Introduced by Falls
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes." [As title indicates, appropriates $2,916 for each of fiscal years 1967-68 & 1968-69 for Cleveland County fire control purposes, particularly salary and other expenses of an assistant county ranger. Effective July 1, 1967.] To Appropriations.

HB 307 - Introduced by Jordan and Taylor of Transylvania
"To amend Article V, Section 5 of the Constitution of North Carolina, pertaining to the exemption of property from taxation so as to provide that land, equipment and facilities used exclusively for the abatement and elimination of air and water pollution shall be exempt from property taxes." [Proposes amendment to Art. V Sec. 5 of NC Const. which would enable NC General Assembly to exempt from taxation "land, equipment and facilities used exclusively for sewage treatment and the abatement of air and water pollution". Amendment to be submitted to State voters at Nov. 5, 1968 General Election under rules and regulations governing State general elections. Spells out form of ballot. If amendment passes, Governor to certify same to Sec'y of State to become permanent record of State; amendment effective at time of certification. In event amendment passed by voters GS 105-296 and 105-297 (relating to real and personal property exemptions respectively) shall be expanded to include lands, equipment and facilities used exclusively for air pollution abatement as follows: Adds to GS 105-296(11) (relating to real property exemption of water pollution abatement plants) real property used exclusively for air pollution abatement plants. Such real property to be exempted from taxation when certification made to county tax supervisor by State Stream Sanitation Committee or state agency having jurisdiction over air pollution abatement. Exemption applicable only to 1969 and later tax levies, but no exemption claimed under present law for years prior to 1969 to be affected by Act. Adds to GS 105-297(16) (relating to personal property exemption of water pollution abatement facilities) air pollution abatement equipment. Such property to be exempted from taxation when certification made to county tax supervisor wherein such property located by State Stream Sanitation Committee or state agency having jurisdiction over air pollution abatement. Exemption applicable only to 1969 and later tax levies, but no exemption claimed under present law for years prior to 1969 to be affected by Act. Act specifically not to repeal GS 105-296 and GS 105-297.] To Constitutional Amendments.

HB 308 - Introduced by Britt of Johnston
"To appropriate funds to continue the North Carolina Confederate Roster." [Identical with SB 138, digested in the Senate section of today's Bulletin.] To Appropriations.

HB 310 - Introduced by Hamrick
"To amend Article 1 of Chapter 80 of the General Statutes of North Carolina relating to registration and protection of trademarks." [Completely rewrites Art. 1, GS 80 (State trademark law). (1) Defines terms "trademark" (work, symbol, device or combination to identify goods made or sold and distinguish them from goods of others), and "service mark" (mark used in sale or advertising of services to identify one's services and distinguish from others) for purpose of registration as "marks" under the act. (2) To be registrable under the act a mark must be "used" in State (placed on goods sold or distributed in State or on tags or labels or on associated displays) and must not consist of six defined categories of non-registrable matter (scandalous; disparaging or falsely suggestive of association; simulating governmental insignia; containing name, portrait or signature of living person without consent; being merely descriptive of good or service or primarily merely a surname, unless such a descriptive mark has become distinctive as applied to applicant's goods or services; or resembling a previously registered State mark or mark or trade name used in State so as to be likely to cause confusion or to deceive). (3) Prescribes form for registration of mark with Secretary of State; sets a registration fee of $10 (now, $5 plus same recording fees as for recording certificate of corporate organization); and provides that each registration may only cover goods or services for which mark actually being used in one of the classes established by act (52 classes of goods and 8 of services are stated in act with provision that Secretary of State may amend classes to conform with those established for the United States Patent Office). (4) Registrations shall be effective for ten years (now, no limitation on term) and shall be renewable for successive ten year terms or assignable upon proper filing and payment of $10 fee. (5) Any person knowingly registering any mark by false or fraudulent means shall be subject to suit by any party injured thereby for the amount of damages resulting from such registration. (6) Infringement by use in State, without consent, of imitation of registered mark in connection with sale or advertising of goods or services likely to cause confusion or mistake or to deceive as to source of origin of goods or services shall be subject to civil remedies prescribed by act; and infringement by use in State of imitation of registrable mark on label, packages or advertisements in conjunction with sale or distribution shall be subject to civil remedies prescribed by act but only when infringer acted "with knowledge that such mark is intended to be used to cause confusion or mistake or to deceive." (7) Civil remedies available to registrant from court of competent jurisdiction in case of infringement include injunction of manufacture, use, display or sale, recovery of profits from infringement; damages suffered by reason of infringement, and order of delivery to court or complainant of any imitations in possession of infringer for purpose of destruction. Where injunction or damages ordered, a penalty shall be assessed of not less than $200 or more than $1,000 in addition to other relief when it is found that registration predated first infirngement by defendant in State. Registrant's right to prosecute under any penal law of State shall not be affected by act nor shall common law rights in marks. (8) Knowing and willful forgery of private marks, tokens, stamps or labels of any U.S. resident with intent to deceive and defraud purchasers shall be punishable by fine of $50 to $1,000, or by imprisonment of 30 days to five years, or both. (9) Vending of any goods known at time of initial purchase to have forged marks, tokens, stamps or labels of any U.S. resident shall be punishable as a misdemeanor by fine not exceeding $100 or imprisonment in county jail not exceeding six months, or both. (10) Secretary of State shall cancel registration upon request of registrant, upon cancellation by court of competent jurisdiction

or finding that mark abandoned or registration was improper or fraudulent or not obtained by owner, upon failure of registrant to renew under act. One year after effective date of act secretary shall cancel all registrations under present law which are more than ten years old and not renewed in accordance with act (notification procedures prescribed). Act not to affect pending litigation. Effective January 1, 1968.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 300 - (Sampson) Introduced by Tart

"To amend GS 14-335, relating to public drunkenness, so as to make it applicable to Sampson County." [Includes Sampson County among those in which public drunkenness is subject to fine of not more than $50 or imprisonment for not more than 30 days.] To Counties, Cities and Towns.

HB 301 - (Wilson) Introduced by Paschall

"Amending Chapter 765 of the 1963 Session Laws relating to the number of Deputy Tax Collectors in Wilson County." [As title indicates; increases to three (now two) the number of Deputy Tax Collectors authorized to be appointed by Wilson County Board of County Commissioners.] To Counties, Cities and Towns.

HB 302 - (Wilson) Introduced by Paschall

"Amending Chapter 373 of the 1965 Session Laws relating to the maximum number of Deputy Sheriffs in Wilson County. [As title indicates; increases to eight (now six) the maximum number of deputy sheriffs authorized to be appointed by Wilson County Board of County Commissioners.] To Counties, Cities and Towns.

HB 303 - (Wilson) Introduced by Paschall

"To amend Section 45 of Chapter 18 of the General Statutes relating to the expenditure of alcoholic beverage control funds for law enforcement by the Wilson County Board of Alcoholic Control." [Amends GS 18-45(15) to increase to 15 (now 10) the maximum percentage of total profits of ABC stores to be expended for law enforcement in Wilson County.] To Counties, Cities and Towns.

HB 304 - (Rowan) Introduced by Troxell and Mitchell

"To amend GS 153-5, to provide for the election of the board of county commissioners of Rowan County." [Adds new paragraph to GS 153-5 (local modifications as to term and number) to provide that 5-member board of county commissioners in Rowan shall be nominated and elected by voters of entire county at 1968 primary and general election for county officers; two candidates receiving highest vote in 1968 election to serve 4-yr. terms, and other three to serve 2-yr. terms; thereafter all members to serve staggered 4-yr. terms. In event of tie vote in 1968 election, county board of elections to determine which candidates to serve 2-yr. terms and which 4-yr. terms. Present commissioners to hold office until successors elected and qualified.] To Counties, Cities and Towns.

HB 305 - (Lincoln) Introduced by Leatherman

"To amend the Charterof the Town of Lincolnton, as contained in Chapter 89, Public-Local Laws of 1941, relating to town policeman." [Adds provisions to Sec. (1)(a) of cited act to expressly permit board of alderman to employ town policemen who are not residents or qualifed voters of Lincolnton.] To Judiciary 1.

HB 306 - (Wake) Introduced by Bunn, Johnson, McMillan, and Twiggs

"To provide for the election of seven members to the Board of Education of the Raleigh City School Administrative unit, and to fix their terms of office." [Amends Ch. 856, SL 1963, to provide terms for present incumbent members of Raleigh Board of Education as follows: Theim, Holroyd, and Duff until July 1, 1971; Stough and Carnage until July 1, 1969 (now specifies other terms). Raises board to seven members (now five) on July 1, 1967, and provides that two additional members of board shall be elected at municipal election to be held in May, 1967,

for terms of two years beginning July 1, 1967 and that in elections held biennially thereafter members shall be elected for terms of four years to fill vacancies then occuring. Adds section providing that primary shall be held if, and only if, more than eight candidates file for office in years when four vacancies to be filled, the eight receiving highest number of votes in such primary to be certified as only ones to be placed on ballot for election. Identical with SB 123, digested in Bulletin No. 29.] To Counties, Cities and Towns.

HB 309 - (Richmond) Introduced by Hunter

"To provide for an election in the City of Rockingham upon adoption of the council-manager form of government." [Provides that City Council of Rockingham may call at any time special election (to be governed by laws governing regular City elections) to submit to voters of city question of whether to adopt council-manager form of government by amending charter as specified in Act. Prescribes form of ballot. Provides that if majority of votes favor such government, charter revisions to become effective on date fixed by city council not later than ninetieth day following special election. Charter revisions provide for council to appoint city manager who shall reside in city during tenure, but not necessarily at time of appointment, hold office at pleasure of council and receive compensation as fixed by ordinance. Manager to be administrative head of city government, see that State laws and ordinances and regulations of council are faithfully executed, attend all council meetings, recommend for adoption such measures as deemed expedient, keep council advised of city's financial condition and needs, and appoint and remove all employees of city except city attorney and city clerk (to be appointed by council), and perform other duties required by Council. Council to fix salaries and compensation of all officials and employees. Amends Charter to give power of appointment of city treasurer to manager (now council).] To Local Government.

HB 311 - (Forsyth) Introduced by Hamrick, Bailey, Ingle, Jemison and McKnight

"To amend Chapter 47 of the Session Laws of 1963, being the Charter of the Town of Kernersville." [Amends description of Town boundaries by changing one call of metes and bounds description. Provides that Town moneys shall be disbursed only on vouchers signed by mayor or other elected Town officers designated by board of aldermen, and countersigned by such other officers or employees as designated by board (now, signed by mayor and countersigned by such other officer or employee as designated by board) Modifies charter assessment procedures as follows: authorize use of such procedures for improvements to streets (now, to unpaved streets); and authorizes assessments without petition in cases where majority of owners owning majority of frontage abutting a street not more than 6 (now 3) blocks long or 3,000 feet long (new) are unwilling to petition.] To Judiciary 1.

HB 312 - (Halifax) Introduced by Gregory

"To validate a sale of certain stock by the Town of Scotland Neck." [Provides that sale of stock in Halifax County Hosiery consumated on Jan. 2, 1965 is validated and deemed in compliance with provisions of GS 160-59 (procedure for sale of property by municipal governing body).] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 68 - County peddler regulation, as amended in Senate 3/15 and 3/16. Reported favorably.

SB 80 - Workman's Compensation benefits. (Senate committee substitute 3/16) Received from Senate; sent to Manufacturing and Labor.

SR 124 - (Joint Resolution) Honoring W-S State hoopsters. Received from Senate; passed second and third readings.

HB 60 - Lawmen's death benefits. Reported without prejudice; re-referred to Appropriations.
HB 87 - Court of appeals. (House committee substitute 3/16). Postponed to 3/22.
HB 124 - Drunk driving penalty increase. Reported favorably as to committee substitute. Committee substitute adopted providing as follows: penalty for second offense of driving while under influence of intoxicating liquor or narcotic drugs, not less than 90 days imprisonment or $200 and three days imprisonment (now, not less than $200 or six months imprisonment or both); for third and subsequent offenses, not less than 90 days or $500 and seven days imprisonment (now, not less than $500 or by both such fine and imprisonment in discretion of court). Sentences for second or subsequent offense not to be suspended. (Original bill provided for doubling of present fines for second and subsequent offenses.)
HB 138 - Jury's capital recommendation. Failed to pass second reading.
HB 147 - Psychedelic drug amendments. Reported favorably as amended.
HB 148 - Seized drug evidence. Reported favorably.
HB 156 - Nursing education funds. Reported favorably; re-referred to Appropriations.
HB 186 - Signed document identification. Reported favorably.
HB 247 - Choleric swine slaughter. Amendment adopted providing that owner in contesting hog cholera diagnosis entitled to review by licensed practicing veterinarian, State veterinarian or representative, and federal inspector in charge or representative, to determine that diagnosis arrived at by use of accepted standard diagnostic techniques. Passed third reading.
HB 264 - Beer sale nuisance. Reported favorably.
HB 283 - Dix hospital renovation. Reported favorably.
HB 297 - Alcoholic rehabilitation funds. Reported favorably.

LOCAL BILLS

SB 93 - (New Hanover) Legalizing bingo. Received from Senate; sent to Propositions and Grievances.
SB 105 - (Onslow) Plumbing inspector. Received from Senate; sent to Counties, Cities and Towns.
SB 112 - (Orange) Hillsborough historic district. Received from Senate; sent to Local Government.
SB 113 - (Orange) Hillsborough comm'rs. Received from Senate; sent to Counties, Cities and Towns.

HB 36 - (New Hanover) Steel traps prohibition. Passed.
HB 193 - (Buncombe) School supplement increase, as amended in House 3/9 and 3/13, and in Senate 3/17. Received for concurrence in Senate amendment; concurred.
HB 222 - (Cumberland) Fayetteville beer and wine. Re-referred to Judiciary 1.

Next session of House: 12 noon, Wednesday, March 22, 1967.

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BULLETIN NO. 31

Wednesday, March 22, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 141 - Introduced by Coggins and others
"To authorize the Department of Mental Health to create a specialized medical and surgical unit at Dorothea Dix Hospital, Raleigh, North Carolina, and to appropriate funds for the operation of the unit." [Identical with HB 319, digested in the House section of today's Bulletin.] To Mental Health.

SB 143 - Introduced by McLendon and others
"To prohibit secret listening to conferences between a person in custody and his attorney, and to prohibit secret listening to the deliberations of a grand jury or petit jury." [Adds Art. 30A to GS Chapter 14 prohibiting wilful overhearing, procuring another to overhear, or attempting to overhear spoken words between person in custody of law enforcement or other public agency and his attorney, by electronic amplifying or transmitting or recording device, or by similar mechanical or electrical device or arrangement, without consent or knowledge of all persons engaging in the conversation; makes evidence procured in violation inadmissible in courts in NC over objection of any participant. Also prohibits wilful overhearing, procuring another to overhear, or attempting to overhear investigations and deliberations or voting by grand or petit jury in criminal case, by electronic amplifying or transmitting or recording device, or by similar mechanical or electrical device or arrangement, without consent or knowledge of said grand or petit jury.] To Judiciary 2.

SR 145 - (Joint Resolution) Introduced by Evans and others
"Honoring the memory of J. Spencer Bell." [As title indicates.] Passed three readings and sent to House.

SB 146 - Introduced by Whitehurst
"To make it unlawful for any person who is under the influence of any type of drug to a degree that causes such person to lose normal control of his bodily or mental faculties, or both, to such an extent that there is an appreciable impairment of either or both of these faculties to operate a motor vehicle." [Expands coverage of the following sections relating to driving under the influence of intoxicating liquor or narcotic drugs, so that the cited sections also apply to driving under the influence of any other type of drug that would cause the loss of normal control of bodily or mental faculties, resulting in appreciable impairment thereof: GS 20-138 (prohibiting driving under the influence of intoxicating liquor or narcotic drugs); GS 20-139 (prohibiting operation of motor vehicles on driveways, shopping centers, private institutions etc. by persons under influence of intoxicating liquor

or narcotic drugs); GS 20-17(2) (mandatory license revocation for driving while under influence of intoxicating liquor or narcotic drugs); GS 20-19(d) and (e) (suspension and revocation periods for driving while under influence of intoxicating liquor or narcotic drugs); and GS 20-179 (penalties for driving while under influence of intoxicating liquor or narcotic drugs). Provides that persons charged with violations of GS 20-138 or 20-139, above, shall not be entitled to defense that he is entitled to use drugs under State law.] To Highway Safety.

SB 147 - Introduced by Whitehurst

"To require motor vehicles to be equipped with inside rear view mirrors." [Rewrites GS 20-126(a) to require inside rear view mirror of type approved by Comm'r of Motor Vehicles providing clear, undistorted, and reasonably unobstructed view of highway for distance of at least 200 feet to rear, unless vehicle is so constructed or loaded as to make such mirror ineffective, in which case it must be equipped with approved mirror located so as to reflect to driver a view of highway for at least 200 feet to the rear (now, only requires mirror when construction or load of vehicle prevents rearward view of driver by looking backward from driver's position).] To Highway Safety.

SB 148 - Introduced by Whitehurst

"To require motor vehicles to be equipped with safe tires." [Adds new GS 20-122.1 requiring all motor vehicles operated on streets and highways of State to be "equipped with tires which are safe for the operation of the motor vehicle and which do not expose the public to needless hazard."] To Highway Safety.

SB 149 - Introduced by Green

"To authorize the State Board of Education to establish an extension unit of the North Carolina system of community colleges in Bladen County." [As title indicates; extension unit to be operated pursuant to policies of State Board of Education and applicable provisions of GS 115 and 115A (providing for elementary and secondary education; community colleges, technical institutes, and industrial education centers). Appropriates from General Fund to State Board of Education for fiscal year 1967-68, $191,040, and for fiscal year 1968-69, $115,099, to equip and operate authorized unit.]To Education.

LOCAL BILLS INTRODUCED -- SENATE

SB 142 - (Bladen) Introduced by Green

"Validating certain increases in compensation in the salary or travel allowance of the Sheriff and Deputy Sheriffs of Bladen County by the Board of County Commissioners of Bladen County." [Validates any action previously taken by Bladen County Board of Commissioners purporting to increase salary, travel allowance, or other compensation of sheriff or deputy sheriffs.] Passed three readings and sent to House.

SB 144 - (Randolph) Introduced by Kemp and McLendon

"To amend Article 36, Chapter 160, of the General Statutes, relating to extension of corporate limits, so as to make part 2 and part 3 applicable to Randolph County." [Adds Randolph to list of counties subject to cited parts of GS Ch. 160, Art. 36 (Part 2 relates to extension of corporate limits by municipalities of less than 5,000 and Part 3 relates to such extension by municipalities of 5,000 or more). Effective July 1, 1967.] To Local Government.

SB 150 - (Robeson) Introduced by MacLean

"To increase the membership of the Robeson County Board of Commissioners to seven, and to provide for the election of the additional member." [Increases membership of county commissioners to seven (now six); additional member to

represent Lumberton District. Provides that new member to be nominated and elected at 1968 primary and general election in same manner as nomination and election of other county commissioners; new commissioner to be elected for 2-year term at 1968 general election and for 4-year term at 1970 election and quadrennially thereafter.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging (Senate committee substitute, 3/16). Passed second and third readings.
SB 42 - Court of Appeals (Senate committee substitute, 3/16). Passed third reading.
SB 47 - Clerk's trust fund. Reported favorably as amended.
SB 48 - Governor's highway safety. Reported favorably.
SB 71 - Minor girls employment (Senate committee substitute, 3/16). Reported favorably as amended.
SB 73 - Nursing education funds. Reported favorably. Re-referred to Appropriations.
SB 115 - Adjustment board alternates. Passed second reading. Postponed to March 23, 1967.
SR 145 - (Joint Resolution) Memorializing Bell. Passed second and third readings.

HB 111 - No clam lease. Reported favorably.
HR 122 - (Joint Resolution) Zoo Study Commission. Reported favorably.
HR 153 - (Joint Resolution) Charlotte Bicentennial Comm'n. Reported favorably.
HB 247 - Choleric swine slaughter, as amended in House 3/21. Received from House; sent to Agriculture.
HB 256 - Non-highway speed limits, as amended in House 3/17. Reported favorably.
HR 313 - (Joint Resolution) Inviting Governor March 30. Passed second and third readings.

LOCAL BILLS

SB 123 - (Wake) Raleigh Ed. Board members. Floor amendment adopted correcting typographical errors. Passed.
SB 142 - (Bladen) Validating sheriff pay. Pass three readings.

HB 36 - (New Hanover) Steel traps prohibition. Received from House; sent to Local Government.
HB 193 - (Buncombe) School supplement increase, as amended in House 3/9 and 3/13 and in Senate 3/17. Recalled from House. Reconsidered votes by which amended 3/17 and passed. Floor amendment adopted making technical change. Passed third reading.

The Senate adopted the following amendments to the permanent rules of the 1967 Session: Rule 66 adds requirement that group or individual other than those named desiring to make remarks upon floor of Senate must obtain prior approval of Rules Committee; Rule 69 amends rule to require that any person desiring to place articles on desks or in offices of members of Senate must make written application to, and obtain written approval from, Chairman of Rules Committee; requests denied by him, upon written request, may be brought before full committee.

BILLS RATIFIED

SB 10 - (Rowan) Salisbury elections. House committee substitute, 3/20. [Ch. 76]
SR 124 - (Joint Resolution) Honoring W-S State hoopsters. [R 25]
HB 22 - Presidential disability amend. [Ch. 77]
HB 165 - (Wilson) Sunday closing law. [Ch. 78]
HB 234 - (Johnston) Benson elections. [Ch. 79]

Next session of Senate: 12 noon, Thursday, March 23, 1967

BULLETIN NO. 31
Wednesday, March 22, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 313 - (Joint Resolution) Introduced by Johnson of Duplin
"Inviting His Excellency, the Governor, to address a Joint Session of the Senate and House of Representatives at 12 o'clock noon, March 30, 1967." [As title indicates; provides for appointment of committee of two Senators by President of Senate, and three Representatives by Speaker, to extend invitation and escort Governor.] Passed three readings and sent to Senate.

HB 314 - Introduced by High
"To amend Chapter 14 of the General Statutes so as to abolish capital punishment." [Abolishes capital punishment in certain cases, substituting various punishments, as follows: (1) GS 14-17, murder in the first degree, substitutes life imprisonment; (2) GS 14-21, rape, substitutes imprisonment for life or term of years, in discretion of court; (3) GS 14-52, first degree burglary, substitutes imprisonment for life or term of years, in discretion of court; (4) GS 14-58, arson, substitutes imprisonment for life or term of years, in discretion of court; (5) GS 14-278, killing in the course of malicious injury to railroad property, substitutes life imprisonment. Provides that there shall be no executions of the death sentence after enactment of this Act.] To Judiciary 1.

HB 316 - Introduced by Staton and others
"To amend certain statutes relating to the militia." [Amends GS 127-1 to redefine the militia of the State as including all able bodied citizens (now male citizens between 21 and 40) not exempt by reason of religious scruples. Amends GS 127-3.1 to provide that maximum age limits prescribed by GS 127-2 (ages established by services for national guard), GS 127-4 (ages 17 to 64 for unorganized militia) and GS 127-111 (various ages between 17 and 64 for various classes of state defense militia) shall not apply to members of historic military commands (now, provides that age limits established by GS 127-1, or 21 to 40, shall not apply). Amends GS 127-14 to provide for Adjutant General to make biennial report to Governor and General Assembly by June 30 (now, report to Governor by Dec. 31 and report to General Assembly without date limit). Amends GS 127-37 to provice that dress of NC national guard shall be approved (now selected) by Advisory Board established by GS 127-18. Amends GS 127-91 to provide that necessary maintenance expenses for equipment and vehicles of national guard and state defense militia shall be proper charge against State funds (now, merely "funds") appropriated for national guard. Amends GS 127-102(c) to provide for annual allowances to supply sergeant of not over $100.00 (now, allowance of $100.00).] To Military and Veteran's Affairs.

HB 317 - Introduced by Church and Speed
"To authorize the State Board of Education to establish an extension unit of the North Carolina system of community colleges in Vance County." [As title indicates; extension unit to be operated pursuant to policies of State Board of Education and applicable provisions of GS 115 and 115A (providing for elementary and secondary education; community colleges, technical institutes, and industrial education centers). Appropriates to State Board of Education for fiscal year 1967-68, $191,040, and for fiscal year 1968-69, $115,099, to equip and operate authorized unit.] To Education.

HB 319 - Introduced by Chase and Ervin

"To authorize the Department of Mental Health to create a specialized medical and surgical unit at Dorothea Dix Hospital, Raleigh, North Carolina, and to appropriate funds for the operation of the unit." [Authorizes Department of Mental Health to develop consolidated medical-surgical unit at Dorothea Dix Hospital to serve specialized requirements of mentally ill patients and retarded children. Appopriates from NC General Fund to Department of Mental Health $100,000 for each of years 1967-68 and 1968-69. Effective July 1, 1967. Identical with SB 141.] To Mental Health.

HB 320 - Introduced by Ervin and others

"Permitting, pending trial or hearing, the release other than by bail, of persons accused of non-capital crimes." [Adds new GS 15-503.1 to empower officers authorized to fix and take bail in any situation to release from custody, pending trial or hearing, any person charged with non-capital felony or misdemeanor on such person's recognizance or on execution of unsecured appearance bond in amount specified by officer; it must appear likely such person will appear and surrender himself to jurisdiction at proper time. Officer may cause investigation of background of person and require sworn statement of his residence, employment and family situation. Officer may set such conditions on release reasonably required to insure appearance and may cause arrest and recommitment if it reasonably appears the person charged is about to depart jurisdiction or may fail to appear or has violated any condition of release. Failure to appear for trial or hearing, or knowing violation of condition of release under act, shall be misdemeanor punishable by fine of not more than $50 or imprisonment for not more than 30 days or both. For purpose of payment of extradition expenses, person becoming fugitive during release under act shall be deemed a felon. Effective July 1, 1967.] To Judiciary 2.

HB 321 - Introduced by Messer

"To amend G.S. 108-9, relating to payments of welfare funds to persons in certain classes of nursing homes." [Removes blood relatives (excluding spouse) of public welfare officials, and spouses of such blood relatives, from list of those prohibited from receiving public welfare or assistance funds for care of any person in nursing homes or homes for aged or inform owned or operated in whole or part by such relatives or spouses.] To Public Welfare.

HB 322 - Introduced by Whitley of Stanly

"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes." [Appropriates to Department of Conservation and Development for fiscal year 1967-68, $2,561, and for fiscal year 1968-69, $2,770, for forest fire control in Stanly County and more particularly for salary and other expenses of an assistant county ranger for county. Effective July 1, 1967.] To Appropriations.

HB 324 - Introduced by Ragsdale and Chase

"To amend Chapter 18-39 of the General Statutes to increase from five cents (5¢) to ten cents (10¢) per bottle on retail prices of alcoholic beverages for the purpose of operating alcoholic rehabilitation programs in North Carolina." [Increases to 10¢ per bottle the 5¢ required to be added by local ABC boards to retail prices of alxoholic beverages for benefit of alcoholic rehabilitation program. Effective July 1, 1967.] To Finance.

HB 326 - Introduced by Barbee and others

"To extend the term of employment of public school principals and to appropriate funds therefor." [Establishes schedule beginning with school year 1967-68 setting out term of employment of public school principals as follows: Elementary School with 7-24 teachers, a 10 1/2 month term; with 25 or more teachers, 11 month term; Junior High School with 7-19 teachers, a 10 1/2 month

term; with 20 or more teachers, 11 month term; Union School with 7-19 teachers, a 10 1/2 month term; with 20-34 teachers, 11 month term, and with 35 or more teachers, a 12 month term; Senior High with 7-14 teachers, a 10 1/2 month term; with 15-24 teachers, an 11 month term, and with 25 or more teachers, a 12 month term. Appropriates from General Fund to State Board of Education $2,339,372 for 1967-69 biennium. Effective July 1, 1967.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 315 - (Caswell) Introduced by Gunn
"To amend G.S. 1-371 relating to the allotment of a homestead so as to authorize a deputy sheriff of Caswell County to appoint appraisers." [Amends GS 1-371 to authorize Caswell deputy sheriff designated by sheriff, who shall be 21 years of age or older, to appoint homestead appraisers and summon a surveyor to lay out homestead by metes and bounds (now, only sheriff or other officer charged with levy may perform such functions).] To Salaries and Fees.

HB 318 - (Macon) Introduced by McGlamery by request
"To repeal Chapter 484 of the Session Laws of 1965 relating to delinquent taxes in Macon County." [Repeals SL 1965, Ch. 484 which raised to $18,000 (from $15,000, by amending SL 1959, Ch. 607) amount of first collected delinquent taxes to be paid into county general fund. 1965 law specified that collections in excess of amount payable to general fund be placed in school fund (1959 law silent as to excess).] To Local Government.

HB 323 - (Northampton) Introduced by Jernigan and Burden
Amending Chapter 128, Private Laws of 1883, so as to increase the number of Commissioners of the town of Rich Square in Northampton County." [Amends Priv. Laws 1883, Ch. 128, to increase number of town commissioners of Rich Square from five to six and to provide that the mayor shall have no vote unless commissioners be equally divided.] To Local Government.

HB 325 - (Person) Introduced by Ramsey
"To authorize the Person County Board of Education to execute to the City of Roxboro a quitclaim deed for certain property known as the "Central School Lot" and to authorize the City of Roxboro to lease said property for fifty-five years to the Federal Government to erect a post office building thereon." [As title indicates. Authorizes Roxboro to pay County $25,000 for "Central School Lot" (recorded in County Registry in Plat Book 12 at page 6) and to lease same to Federal Government under mutually agreeable lease.] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 42 - Court of Appeals (Senate committee substitute 3/16). Received from Senate; placed on calendar for 3/23.
SB 68 - County Peddler regulation, as amended in Senate 3/15 and 3/16. Passed second and third readings.
SB 80 - Workmen's compensation benefits. (Senate committee substitute 3/16). Withdrawn from committee; placed on calendar for 3/23.
SB 117 - Headlight use hours, as amended in Senate 3/21. Received from Senate; sent to Highway Safety.
SR 145 - (Joint Resolution) Memorializing Bell. Passed second and third readings.

HB 87 - Court of appeals. (House committee substitute 3/16). Postponed to 3/23.

HB 124 - Drunk driving penalty increase. (House committee substitute 3/21). Re-referred to Judiciary 1.
HB 147 - Psychedelic drug amendments. Amended to add derivatives, possessing hallucinagenic properties, of cited drugs to definition of "narcotic drugs". Passed second and third readings.
HB 148 - Seized drug evidence. Passed second and third readings.
HB 172 - Workmen's compensation benefits. Reported favorably as to committee substitute. Committee substitute adopted to increase maximum amount of compensation to be paid to $15,000 (now $12,000, original bill increased to $14,700) under GS 97-29, GS 97-41 and GS 97-61.6. Amends GS 97-31 to increase the compensation for diability during healing period, paid in lieu of all other compensation, to $4,000 (now, $3,500. Sections not affected by original bill) for serious facial disfigurement, serious bodily disfigurement (not otherwise covered in GS 97-31), loss of or permanent injury to important external or internal organ or part of body (not otherwise covered in GS 97-31). Amends GS 97-40 to raise funeral benefit from $400 to $500. (Section not affected by original bill).
HB 173 - Mufflers and exhausts. Reported unfavorably.
HB 186 - Signed document identification. Passed second and third readings.
HB 215 - Beer-wine transportation. Reported favorably.
HB 264 - Beer sale nuisance. Passed second and third readings.
HB 283 - Dix hospital renovation. Passed second and third readings.
HB 287 - Omnibus board ed. appointment. Reported favorably as amended.
HB 297 - Alcoholic rehabilitation fund. Passed second reading.
HR 313 - (Joint Resolution) Inviting Governor March 30. Passed second and third readings.

LOCAL BILLS

SB 102 - (Catawba) Newton-Conover school limits. Passed.
SB 142 - (Bladen) Validating sheriff pay. Received from Senate; passed.

HB 128 - (Caldwell) Medical examiner. Passed.
HB 193 - (Buncombe) School supplement increase, as amended in House 3/9 and 3/13, and in Senate 3/17 and 3/22. Recalled from engrossing; reconsidered concurrence in Senate amendment of 3/17; failed to concur; returned to Senate pursuant to request; received from Senate for concurrence in amendment of 3/22; concurred.
HB 273 - (Edgecombe, Moore, Cleveland) Abandoning animals. Floor amendments adopted making act applicable to Moore and Cleveland counties. Passed.
HB 281 - (Person) Closing out sale. Passed.
HB 295 - (Johnston) Pistol permits. Passed.

Next Session of House: 12 noon, Thursday, March 23, 1967.

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DAILY BULLETIN

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BULLETIN NO. 32

Thursday, March 23, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 151 - Introduced by Allen

"To authorize the State Board of Education to establish an extension unit of the North Carolina system of Community Colleges in Montgomery County." [As title indicates; extension unit to be operated pursuant to policies of State Board of Education and applicable provisions of GS 115 and 115A (providing for elementary and secondary education; community colleges, technical institutes, and industrial education centers). Appropriates from General Fund to State Board of Education for fiscal year 1967-68, $191,040, and for fiscal year 1968-69, $115,099, to equip and operate authorized unit.] To Education.

SR 152 - (Joint Resolution) Introduced by Allen and Penn

"Creating a commission to study and recommend legislation as to the operation of the public schools for a complete year on a quarterly basis." [Creates "Commission for the Study of the Operation of the Public Schools on a quarterly Basis," to consist of seven members, two to be appointed by Governor, two by Lieutenant Governor from membership of Senate, two by Speaker from membership of House, and one by Superintendent of Public Instruction, with Chairman and other officers of Commission to be elected by its membership. Directs Commission to study plan of operating public schools of State for complete year on quarterly basis, looking to possible savings in school space and construction, savings to taxpayers, better utilization of teacher service, convenience of students, projects, plans, pilot programs, and work of study commissions in other states on such asystem, especially the pilot program in Georgia. Directs Commission to meet at times and places designated by Chairman, and entitles it to receive assistance by agencies or subdivisions of government and to inspect, at all reasonable hours, any and all documents, papers, books, reports, statistics, and other data relevant to subject of study. Directs all State agencies and subdivisions of government to permit access by Commission to records. Directs Commission to report findings and recommendations to General Assembly and to report a draft of any suggested legislation.] To Education.

SB 153 - Introduced by Burney and others

"To create the office of Chief Medical Examiner and to provide for a statewide system for post-mortem medicolegal examinations." [Amends GS Ch. 130, Art. 21 (Post-Mortem Medicolegal Examinations) by rewriting Article as follows: Creates under State Board of Health (Board) office of Chief Medical Examiner (CME) to conduct post-mortem examinations and pathological, bacteriological examinations etc., (now Committee on Post-Mortem Medicolegal

Examinations, appoints district pathologist to perform autopsies, make pathological studies etc., with coroner eligible to be appointed as district pathologist or member of committee and appoints county medical examiner). CME to serve 4-year term after taking oath and entering into $5,000 bond; Board to fill vacancies in office of CME and authorized to remove CME for cause; CME to be skilled pathologist and eligible to be licensed as MD; salary of CME fixed by Governor and Advisory Budget Commission with CME receiving travel expenses allowed other State employees. Under supervision of CME, Board to establish, with approval of Governor, central office and lab in Raleigh or Chapel Hill, and district offices and laboratories to conduct post-mortem examinations, pathological, bacteriological and toxicological investigations. Board to furnish CME with office and lab space and to contract with UNC Medical School for use of certain laboratories, morgue and technical facilities. With Board's approval, CME may employ necessary clerical staff and assistants responsible to him. Salaries of CME, technical and clerical personnel and their traveling expenses, expenses of maintaining central office and laboratory, and costs of services rendered by others than CME and assistants, to be paid by State from Funds appropriated.

CME to appoint one or more medical examiners in each county for 3-year terms. (Now Chairman of Committee on Post-Mortem Medicolegal Examinations subject to approval of Committee appoints county medical examiner.) County medical examiners to be appointed from list of two or more licensed MD's submitted by component Medical Society of county or district. CME may appoint coroner as acting medical examiner should licensed MD not accept appointment until original appointment is filled, or to serve in case of illness or absence of medical examiner. Act carries forward provisions of present GS 130-197 as to notification of medical examiner upon death of person by criminal act, default, suicide, etc.. Upon receipt of notice of such death medical examiner to take charge of dead body, make inquiries regarding cause and manner of death, and promptly report written findings to CME on designated forms, delivering another copy to District Solicitor of Superior Court. CME to provide directions as to nature of investigation to medical examiner. (Now upon receipt of notice of death under GS 130-197 county medical examiner to report to county coroner, solicitor of superior court, chairman of Committee,and upon request to other law enforcement agencies.) For each investigation under Article medical examiner to receive $25 fee paid by State but county to pay fee if deceased is legal resident of county in which death occurred. (Now county medical examiner to receive fee to be fixed by board of county commissioners after consulting with Committee and to be paid by county for which he is appointed.)

Carries forward provisions of present GS 130-199 (when autopsies and other pathological examinations to be performed) except as follows: provides that autopsy or pathological study to be made by CME or competent pathologist designated by CME with copy of autopsy report furnished solicitor or judge so requesting it (now autopsy or pathological study made by district pathologist or by competent pathologist designated by Chairman of Committee); if body ordered to be exhumed examination or autopsy performed is to be made by CME or competent pathologist or toxicologist appointed by CME (now examination and autopsy performed by district pathologist or by pathologist appointed by chairman of Committee;) if deceased resident of county where death occurred, cost of autopsy or pathological study to be paid by county; State Board pays expenses if otherwise. (new). CME, subject to Board's approval, to promulgate rules and regulations to implement Article. Facilities and services of central laboratory to be made available to county medical examiners. Reports of investigations made by CME or by medical examiners and records of autopsies to be received as evidence; also, attested copies of records, photographs and lab findings in office of CME or any medical examiner. Carries forward provisions of present GS 130-200 (when medical examiner's permission necessary before embalming, burial and cremation.) Provides that in cases requiring medical examiner to be notified coroner to be notified by medical examiner and to hold inquest and preliminary hearing in those instances required by GS 152-7 (Duties of coroners with respect to inquests and preliminary

hearings) Coroner to file written report of investigation with solicitor of Superior Court and county medical examiner with body to remain in control and custody of medical examiner. (Now all post-mortem examinations and inquests subject to control and direction of chairman of Committee.)

Amends GS 90-210.7 (suspicious circumstances surrounding death) by making it unlawful for person to remove or embalm dead human body without first obtaining permission of medical examiner (now coroner). Amends GS 90-213 (autopsies unlawful without consent of North Carolina Board of Anatomy) by adding proviso so as not to restrict or limit provisions of Art. 21. Amends GS 90-217 (limitation upon right to perform autopsy) by deleting from list of situations where there is a right of autopsy, cases where coroner or majority of coroner's jury might deem it necessary upon inquest to have an autopsy. Amends GS 130-47 (death without medical attendance etc.,) by rewriting section as follows: requires funeral director in case of death without medical attendance to notify local medical examiner and local registrar of death (now, only local registrar); no burial-transit permit to be issued until medical examiner has completed investigation and certification (now prior to issuance of burial-transit permit local registrar to inform local health director for certification); if no local medical examiner, registrar to refer case to CME (now where no medical examiner or health director, registrar to refer case to coroner); prohibits cremation in case of death without medical attendance until medical examiner has made inquiry into cause and manner of death and certified that inquiry has been made and no further examination is necessary (now, prohibits cremation in such cases within 72 hours following death without approval of either county medical examiner, local health director, or district solicitor of superior court of district).

Amends GS 152-5 (fees of coroners) by deleting requirement that every coroner summon a physician or surgeon where he feels more investigation of cause of death necessary. Amends GS 152-7 (duties of coroners with respect to inquests etc.,) subsection (1) by requiring written report of investigation to be filed by coroner with medical examiner and solicitor of superior court (now, only with clerk of superior court). Amends GS 152-7(6) by requiring coroner to notify solicitor of Superior Court and medical examiner immediately upon information of death of person within county under circumstances calling for investigation pursuant to Art. 21 (now coroner must notify county medical examiner who in turn must notify chairman of Committee and coroner to make additional findings as solicitor directs). Amends GS 152-7(7) to delete reference to chairman of Committee. Amends GS 152-7(9) to authorize coroner to hold inquiry where body of deceased is or anywhere in county (replaces present provision requiring coroner to begin his inquiry with his jury where the body of deceased is found). Amends GS 152-7(10) by requiring coroner to file copy of all written testimony given at hearing with county medical examiner and solicitor of Superior Court (now requires coroner to file only with clerk of superior court).

Appropriates to Board from General Fund $90,000.00 for fiscal year 1967-68 and $90,000.00 for fiscal year 1968-69. Repeals GS Ch. 152A (County Medical Examiner, applicable to 15 listed counties). Effective January 1, 1968 provided that appropriation to employ personnel and making necessary preparation to effectuate purpose of Act by January 1, 1968 shall be effective July 1, 1967.] To Judiciary 2.

SB 155 - Introduced by Gentry and Wood

"Amending the chain store tax (G.S. 105-98) to provide that no manufacturer or vendor of fertilizers, farm chemicals and seeds shall be liable therefor solely by reason of the sale of such products." [Provides that no manufacturer or retail or wholesale dealer selling products cited in title are to be liable, solely because of such sales, for Schedule B license tax required of chain stores by GS 105-98. Effective July 1, 1967.] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

SB 154 - (Guilford) Introduced by McLendon and Kemp
"Relating to temporary quarters for governmental agencies of Guilford County pending the construction of a new governmental complex." [Authorizes Guilford County Commissioners to secure and provide necessary temporary space in one or more buildings within county for any governmental purpose pending construction of governmental buildings, which temporary quarters may be but used not be designated as courthouse. Permits such quarters to be used to hold sessions of court and other hearings required to be heard at county courthouse, and be used to perform any of governmental functions of county. Grants powers until new buildings are constructed, accepted, and occupied.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 6 - Establishing kindergartens. Reported favorably; re-referred to Appropriations.
SB 44 - Craven Tech. Reported favorably; re-referred to Appropriations.
SB 47 - Clerk's trust fund. Amendments adopted deleting reference to "indigent or needy child" as one to whose benefit a payment under this Act may be made; providng that the functions served in this Act by a parent may also be served by a person in loco parentis; and providing that when a payment in excess of $1,000 is made by a clerk under this Act, the Clerk's order must be approved by resident Judge of Superior Court or Judge holding courts of the district. Passed second and third readings.
SB 48 - Governor's highway safety. Floor amendment adopted deleting language that would permit Governor to do things necessary to effectuate subsequent amendments to Federal Highway Safety Act of 1966. Re-referred to Judiciary 2.
SB 71 - Minor girls employment (Senate committee substitute 3/16). Amendment adopted adding repealer and effective date clauses, and amending title. Passed second and third readings.
SB 98 - Produce handler bonds. Reported favorably.
SB 115 - Adjustment board alternates. Passed third reading.
SB 119 - Halifax Community College. Reported favorably. Re-referred to Appropriations.
SB 143 - Secret listening. Reported favorably as amended.

HB 97 - Trustee renunciation, as amended in House 3/17. Reported favorably.
HB 98 - Wills revocation. Reported favorably.
HB 111 - No clam lease. Passed second and third readings.
HB 120 - Bond-water contract limits. Reported favorably.
HR 122 - (Joint Resolution) Zoo Study Commission. Passed second and third readings.
HB 144 - Gambling surveillance repeal. Reported favorably.
HB 147 - Psychedelic drug amendments, as amended in House 3/22. Received from House; sent to Public Health.
HB 148 - Seized drug evidence. Received from House; sent to Public Health.
HR 153 - (Joint Resolution) Charlotte Bicentennial Comm'n. Passed second and third readings.
HB 166 - Spouse testimony privilege. Reported favorably as amended.
HB 186 - Signed document identification. Received from House; sent to Judiciary 1.
HB 247 - Choleric swine slaughter, as amended in House 3/21. Reported favorably.

HB 256 - Nonhighway speed limits, as amended in House 3/17. Passed second reading; postponed to 3/24.
HB 264 - Beer sale nuisance. Received from House; sent to Judiciary 1.
HB 283 - Dix Hospital renovation. Received from House; sent to Mental Health.

LOCAL BILLS

SB 133 - (Stanly) Albemarle land exchange. Passed.
SB 137 - (Robeson) County Commissioner's salaries. Passed.
SB 139 - (Camden) Deer shooting prohibition. Passed.
SB 140 - (Davidson) Lexington phone co. catwalk. Passed.

HB 128 - (Caldwell) Medical examiner. Received from House; sent to Public Health.
HB 130 - (Carteret) Surfing regulation. Passed.
HB 168 - (Pitt) Garbage removal. Passed.
HB 213 - (Cumberland) Fayetteville rewards. Passed.
HB 217 - (Mecklenburg) Charlotte contracts. Passed.
HB 230 - (Bertie) Validating Tax actions. Passed.
HB 244 - (Buncombe) Chamber of Commerce support. Passed.
HB 261 - (Green) Hookerton mayor elections. Passed.
HB 273 - (Edgecombe, Moore, Cleveland) Abandoning animals, as amended in House 3/22. Received from House; sent to Judiciary 1.
HB 281 - (Person) Closing-out sales. Received from House; sent to Judiciary 1.
HB 295 - (Johnston) Pistol permits. Received from House; sent to Judiciary 1.
HB 337 - (Surry) Elkin Commissioner's election. Received from House; passed.

BILLS RATIFIED

SB 68 - County peddler regulation, as amended in Senate 3/15 and 3/16. [Ch. 80]
SB 102 - (Catawba) Newton-Conover school limits. [Ch. 81]
SB 142 - (Bladen) Validating sheriff pay. [Ch. 82]
SR 145 - (Joint Resolution) Memorializing Bell. [R 27]
HB 193 - (Buncombe) School supplement increase, as amended in House 3/9 and 3/13 and in Senate 3/22. [Ch. 83]
HR 313 - (Joint Resolution) Inviting Governor, March 30. [R 26]

Next session of Senate: 10:00 a.m., Friday, March 24, 1967.

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BULLETIN NO. 32
Thursday, March 23, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 328 - Introduced by Ramsey of Madison and others
"To appropriate funds to the Department of Agriculture for improvements to the facilities of the Western North Carolina Agriculture Center in Buncombe County." [Appropriates from General Fund to Dep't of Agriculture $50,000 to erect youth building and make other improvements at Western NC Agriculture Center.] To Appropriations.

HB 333 - Introduced by Hunter of Mecklenburg
"To safeguard operators and passengers of motorcycles by requiring the wearing of safety helmets and protective eye shields, requiring rear view mirrors and by limiting the number of passengers permitted." [Adds to GS 20-140.2 provisions that motorcycle shall not be operated on highways unless operator and all passengers wear safety helmets of type approved by Comm'r of Motor Vehicles, and unless operator wears protective eye shield of type approved by Comm'r if cycle not equipped with windshield or windscreen of type approved by Comm'r. Also amends GS 20-140.2 to provide that motorcycles (now, motorcycles and motorscooters) shall not be operated when number of persons thereon exceed designed capacity. Adds to GS 20-126 provisions that motorcycles shall not be operated unless equipped with rear view mirror providing operator with clear, undistorted, unobstructed view at least 200 feet to rear, and shall not be registered in NC after Jan. 1, 1968 unless equipped with such mirrors. Effective Jan. 1, 1968.] To Highway Safety.

HB 334 - Introduced by Hunter of Mecklenburg
"To amend GS 18-39(3), so as to provide additional funds for education, research, facilities and rehabilitation of alcoholics." [Increases to 10¢ per bottle the 5¢ required to be added by local ABC boards to retail prices of alcoholic beverages under GS 18-39(3); provides for one-half of proceeds to be remitted to State Treasurer to be placed in General Fund, and for proceeds retained by county and municipal boards to be expended in their discretion for programs of education, research, treatment and rehabilitation of alcoholics, and for construction, maintenance and operation of facilities in such county or municipality.] To Appropriations.

HB 335 - Introduced by Chase and others
"To amend GS 143-117 to add Western Carolina Center to State mental institutions." [Amends GS 143-117 (naming institutions at which admittees are required to pay actual cost of care, treatment, training and maintenance) to include Western Carolina Center and to provide that act is applicable to persons now or hereafter resident at center and those whose accounts are now due and owing.] To Mental Institutions.

HB 338 - Introduced by Hill
"To amend G.S. 18-85 relating to the tax of spiritous liquors." [Increases to 12% (now,10%) tax levied on the retail sale of spiritous liquors in ABC stores. Effective July 1, 1967.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 327 - (Beaufort) Introduced by Roberson and Burrus
"To amend Sections 105-306(26); 105-308; 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of County Commissioners of Beaufort County to prescribe regulations relating to the listing

of property for taxation in Beaufort County, and to authorize the division, or combining of townships for tax listing purposes." [As title indicates. Cited GS Sections (relating to taxpayer oath, listing by agents and listing by mail) declared to be applicable to Beaufort but subordinated to regulations of county board inconsistant therewith. Provides that oaths required by GS 105-308 and 105-310 are satisfied by signature to tax abstract in cases of mail listing. Provides that if townships are divided or combined for tax listing, county tax supervisor with approval of comm'rs may appoint one or more list taker for each unit so combined or divided. Prescribes misdemeanor penalty for failure to list ad velorem taxes as provided by GS 105-307; if comm'rs have adopted regulations relating to any matter covered in Act, listing must be in accordance with GS amended by such regulation.] To Counties, Cities and Towns.

HB 329 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones

"To amend Chapter 320 of the Private Laws of 1893, as amended, relative to the salary of the Mayor, the Town Commissioners and the Clerk of the Town of Huntersville in Mecklenburg County." [Authorizes Huntersville Town Comm'rs to pay mayor annual salary of $900 (now $50), to pay each comm'r annual salary of not over $240, and to pay town clerk such salary as deemed advisable and reasonable.] To Salaries and Fees.

HB 330 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones

"To amend Section 153-8 of the General Statutes relating to the meeting of the Board of Commissioners of Mecklenburg County." [Modifies cited section, which requires monthly county comm'r meetings to be held at county courthouse, to provide that as to Mecklenburg "courthouse" includes complex consisting of county courthouse and office buildings, and existing extensions, additions or enlargements, together with additions, extensions and enlargements or additional buildings to be constructed from time to time in vicinity of county courthouse and office buildings.] To Counties, Cities and Towns.

HB 331 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter, and Jones

"To amend Chapter 926 of the 1947 Session Laws, as amended, establishing the Charlotte Firemen's Retirement System." [Amends cited act to repeal existing restriction to six retirements per year for uniformed members of Charlotte Fire Department having more than 25 years of service, to delete bases for preference in choosing those to retire if more than six become eligible in one year, to delete provision for deferral to following year of those eligible to retire but unable to because of too many other retirements. Deletes reference to preference for disability benefits over retirement benefits due to seniority. Applies to all retirements effective on and after Jan. 1, 1966.] To Counties, Cities and Towns.

HB 332 - (Avery) Introduced by Isaac

"To revise and consolidate the charter of the town of Crossnore in Avery County." [Revises and consolidates Crossnore charter, as follows: (1) Continues incorporation of town with general corporate powers. (2) Describes corporate boundaries as a circle with radius of three-eights mile centering on center of State Highway bridge over Crossnore Creek (same as present boundaries). (3) Provides for five aldermen to be elected at large for staggered terms and for a mayor to serve a term of 2 years. Municipal elections to be conducted in accord with General Statutes and held on Tuesday after first Monday in May in odd-numbered years to elect a mayor and three aldermen, with the two candidates for alderman receiving highest vote to serve four years and candidate with next highest vote to serve two years; in first election held

under act a mayor and five aldermen shall be elected, with the two candidates for alderman receiving highest vote to serve four years and three candidates with next highest vote to serve two years (now, mayor and five aldermen elected biennially to 2-year terms). Nominations to be by filing of candidacy procedures (now, nomination by at-large primary elections). (4) Mayor to receive salary fixed by aldermen, take a prescribed oath of office, and call special meetings of board of aldermen. Makes no provision concerning mayor's vote (now mayor given vote in event of tie vote of aldermen). (5) Aldermen to organize and conduct business as prescribed, may receive a salary in such amount as they determine and are empowered to appoint town attorney and clerk; also to appoint town tax collector, accountant, chief of police and fire chief, and to consolidate these offices. (6) Sets procedures for presentation of tort claims against town within 90 days after accrual; provides that no action to be brought within 10 days or after 12 months from presentation (new). (7) Validates all ordinances and actions of town board of aldermen. (8) Repeals Priv. L. 1925 Ch. 86 (present town charter) and SL 1963, Ch. 672 (amendment to present charter).] To Local Government.

HB 336 - (Washington) Introduced by Roberson and Burrus

"To amend Chapter 213 of the Private Laws of 1903 to provide at large elections in the Town of Plymouth, and to repeal conflicting acts." [Rewrites portions of Plymouth Town Charter (Priv. L. 1903, Ch. 213) to provide for board of councilmen to consist of six members elected at large on basis of three, 2-member wards (now, eight councilmen and four wards). Two councilmen from each ward receiving largest number of votes cast for resident candidates of ward elected. Mayor elected at large. Mayor and councilmen serve 2-year terms or until successors elected and qualified. Sets regular town elections on Tues. after 1st Mon. in May of odd-numbered years. Excludes Plymouth from application of GS 160-31 (provision for separate polling places in each ward) and empowers Councilmen to establish one or more polling places. Deletes provisions of 1903 Law relating to salary, and certain powers of mayor. Repeals portions of Priv. L. 1911, Ch. 20 (relating to number and election of Plymouth councilmen and abolition of town wards) and repeals Priv. L. 1915, Ch. 179 (amending certain portions of Town charter relating to voting for councilmen). Ratified notice given of 1967 regular election and Board action discontinuing or changing polling places.] To Elections and Election Laws.

HB 337 - (Surry) Introduced by Merritt

"Relating to the election of the Mayor and the Board of Commissioners of the Town of Elkin in Surry County." [Provides for election of mayor and five comm'rs in Elkin on first Monday in May, 1967 and biennially thereafter for 2-year terms. Provides for holding of town meeting between four and five weeks prior to each biennial election, on prescribed notice, at which one candidate for mayor and five for comm'r are to be nominated; other qualified voters of town may file notices of candidacy with town clerk by 15th day preceding election; mayor to preside at meeting until chairman elected to preside; all qualified town voters eligible to attend; town meeting already scheduled and advertised for Friday March 31, 1967 is to constitute the town meeting for purposes of 1967 elections, without conforming to procedures of this Act. Provides for names of candidates nominated at meeting and names of persons filing notices of candidacy thereafter to be placed on ballots for elections.] Passed three readings and sent to Senate.

HB 339 - (Currituck) Introduced by Culpepper

"To authorize the Board of County Commissioners of Currituck County to appoint deputy sheriffs, deputy tax collectors, and to fix their compensation and the compensation of the Sheriff of Currituck County." [Authorizes county commissioners to appoint deputy sheriffs and deputy tax collectors and to fix their compensation and that of the sheriff. Repeals all special and local acts

which deal with appointment, salaries, fees, and other compensation of deputy sheriffs and deputy tax collectors of county or its townships or with salary or compensation of sheriff, including 24 specified acts. Effective July 1, 1967.] To Local Government.

HB 340 - (Currituck) Introduced by Culpepper

"To relieve the Sheriff of Currituck County of the duty of collecting taxes, and to authorize the Board of County Commissioners to appoint a tax collector." [Relieves sheriff of responsibility for collection of ad valorem, poll and dog taxes, both current and delinquent, as of October 1, 1970, by which time he is to make complete settlement as required by law. Directs board of commissioners to appoint qualified person as county tax collector who is to perform duties imposed by law and to collect current taxes, or both current and delinquent taxes, as directed by board. Requires person appointed as tax collector to qualify as of October 1, 1970, and to give bond in amount deemed sufficient by board before entering upon duties of office. Collector to receive compensation as fixed by board; vacancies to be filled by appointment by board.] To Local Government.

HB 341 - (Sampson) Introduced by Tart

"To amend GS 67-33, so as to provide for an annual dog kennel tax in Sampson County." [Amends GS 67-33 (requiring tax listing of dogs and permitting kennel operators or owners of dog packs to pay $1.50 per dog in lieu of individual dog listing) to provide that in Sampson County any owner of dog kennel shall pay annual tax of $20 in lieu of individual dog tax listing.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging (Senate committee substitute 3/16). Received from Senate; sent to Propositions and Grievances.
SB 42 - Court of appeals (Senate committee substitute 3/16). Passed second reading.
SB 80 - Workmen's compensation benefits (Senate committee substitute 3/16). Passed second and third readings.
SB 117 - Headlight use hours, as amended in Senate 3/21. Reported favorably as amended.

HB 66 - Liquor advertising. Reported unfavorably.
HB 76 - Prohibit minors use of alcohol. Reported without prejudice; re-referred to Judiciary 2.
HB 143 - Motorcycle licensing. Reported favorably as amended.
HB 172 - Workmen's compensation benefits (House committee substitute 3/22). postponed indefinitely.
HB 215 - Beer-wine transportation. Re-referred to Judiciary 2.
HB 287 - Omnibus board ed. appointment. Five committee amendments adopted, making technical changes, adding and deleting names, and adding Sampson County to list of counties covered by act. Two floor amendments adopted, adding and deleting names. Passed second and third readings.
HB 289 - Motorcycle definition. Reported favorably.
HB 290 - Drivers license surrender. Reported favorably.
HB 297 - Alcoholic rehabilitation funds. Passed third reading.

LOCAL BILLS

SB 84 - (Henderson) Hendersonville school board. Passed.
SB 93 - (New Hanover) Legalizing bingo. Passed.
SB 123 - (Wake) Raleigh Ed. board members, as amended in Senate 3/22. Received from Senate; passed.

HB 306 - (Wake) Raleigh Ed. board members. Postponed indefinitely.
HB 337 - (Surry) Elkin Commissioners election. Passed.

The Speaker appointed Representative Baugh to the North Carolina Capitol Planning Commission.

Next session of House: 10:00 a.m., Friday, March 24, 1967.

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BULLETIN NO. 33

Friday, March 24, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SR 156 - (Joint Resolution) Introduced by Allsbrook and Bridgers
"Honoring Ayden High School for its outstanding athletic achievements." [As title indicates. Identical with HR 342.] Passed three readings; sent to House.

SB 157 - Introduced by Kemp.
"To amend motor vehicle laws so as to allow cities and towns to levy a tax not to exceed ten dollars ($10.00) per year upon motor vehicles." [Amends GS 20-97(a) to raise to $10.00 the tax which cities and towns may levy on vehicles resident therein (now $1.00). Identical with HB 344.] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

SB 158 - (Montgomery) Introduced by Allen
"To amend Section 160-59 of the General Statutes of North Carolina so as to exclude the Town of Biscoe as to the sale of one particularly described parcel of real property." [Excludes sale of particular piece of real property owned by Biscoe, and described by metes and bounds, from requirements of GS 160-59 (setting out requirements for public sale by governing body of property belonging to town). Authorizes Biscoe governing body to sell described property at private sale on such terms as deemed in best interest of town.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 143 - Secret listening. Amendment adopted making violation of Act a misdemeanor punishable by fine or imprisonment in discretion of court. Passed second and third readings.
SR 156 - (Joint Resolution) Honoring Ayden H.S. Athletics. Passed second and third readings.

HB 7 - Trout fishing licenses. Reported favorably as to committee substitute.
HB 97 - Trustee renunciation, as amended in House 3/17. Passed second and third readings.
HB 98 - Wills revocation. Passed second and third readings. Vote by which passed third reading reconsidered. Floor amendment adopted changing word "his" to "the" modifying the word "spouse" to make clear that Act applies to a spouse of either sex. Passed third reading.

HB 120 - Bond-water contract limits. Passed second and third readings.
HB 144 - Gambling surveillance repeal. Passed second and third readings.
HB 166 - Spouse testimony privilege. Amendment adopted including criminal offense against a foster child as one in which a spouse's testimony is competent. Postponed to 3/27.
HB 247 - Choleric swine slaughter, as amended in House 3/21. Passed second and third readings.
HB 256 - Nonhighway speed limits, as amended in House 3/17. Passed third reading.
HB 287 - Omnibus board ed. appointment., as amended in House 3/23. Received from House; sent to Education.
HB 297 - Alcoholic rehabilitation funds. Received from House; sent to Mental Health.

LOCAL BILLS

SB 125 - (Stokes) King charter amendments. Passed third reading.
SB 128 - (Robeson) Library tax. Passed third reading.
SB 129 - (Robeson) Lumberton library tax. Passed third reading.

HB 23 - (Pamlico) Bayboro ad Valorem. Passed.
HB 39 - (Gaston) School bus use. Passed.
HB 155 - (Richmond) Rockingham street improvements. Passed third reading.
HB 231 - (Bertie) Special taxes-officials' pay. Passed third reading.
HB 238 - (Catawba) Newton charter revision. Passed third reading.
HB 243 - (Sampson) Salemburg charter revision. Passed third reading.
HB 260 - (Pasquotank) Elizabeth City Boundaries. Passed third reading.

BILLS RATIFIED

SB 80 - Workmen's compensation benefits. (Senate Committee substitute 3/16) [Ch. 84]
SB 84 - (Henderson) Hendersonville school board. [Ch. 85]
SB 93 - (New Hanover) Legalizing bingo. [Ch. 86]
SB 123 - (Wake) Raleigh Ed. Board members, as amended in Senate 3/22. [Ch. 87]

HB 111 - No clam lease. [Ch. 88]
HR 122 - (Joint Resolution) Zoo Study Commission [R 28]
HB 130 - (Carteret) Surfing regulation. [Ch. 89]
HR 153 - (Joint Resolution) Charlotte Bicentennial Comm'n. [R 29]
HB 168 - (Pitt) Garbage removal. [Ch. 90]
HB 213 - (Cumberland) Fayetteville rewards. [Ch. 91]
HB 217 - (Mecklenburg) Charlotte contracts. [Ch. 92]
HB 230 - (Bertie) Validating tax action. [Ch. 93]
HB 244 - (Buncombe) Chamber of commerce support. [Ch. 94]
HB 261 - (Greene) Hookerton mayor election. [Ch. 95]
HB 337 - (Surry) Elkin Commissioners election. [Ch. 96]

Next sessions of Senate: 9:00 a.m., Saturday, March 25, 1967, for consideration of local bills only;
8:00 p.m., Monday, March 27, 1967, in the old Senate Chambers.

BULLETIN NO. 33
Friday, March 24, 1967

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 342 - (Joint Resolution) Introduced by Forbes and Rountree
"Honoring Ayden High School for its outstanding athletic achievements." [Identical with SR 156 digested in Senate section of today's Bulletin.] Passed three readings and sent to Senate.

HB 343 - Introduced by Burden
"To prohibit the killing of bears out of season, except when caught in the act of destroying property." [Prohibits taking,trapping,killing or attempts to take etc. bears except during open season and when bears are caught in act of destroying or attempting to destroy property in which case property owners may take necessary action to protect property. Wildlife Resources Commission authorized to issue permit allowing owner to take reasonable steps to prevent depredations to crops or property, when there is evidence of such. If bear killed out of season by property owner, he must notify Wildlife Resources Commission representative within 12 hours of killing so that carcass of bear can be disposed of by gift to charitable institution located in county where bear is killed. Violators guilty of misdemeanors, punishable by fine not more than $100.00 or imprisonment not more than sixty days or both.] To Wildlife Resources.

HB 344 - Introduced by Leatherman
"To amend the motor vehicle laws so as to allow cities and towns to levy a tax not to exceed ten dollars ($10.00) per year upon motor vehicles." [Identical with SB 157 digested in Senate section of today's Bulletin.] To Finance.

HB 345 - Introduced by O'Hanlon
"To amend G.S. 136-2 as it applies to meetings of the State Highway Commission." [Amends GS 136-2 (providing for meetings of SHC in certain localities) to provide that one such meeting shall be held in Hickory or west of Hickory (now, such meeting is to be held in a town or city west of Hickory).] To Roads.

HB 346 - Introduced by Hamrick and Bailey
"To amend Chapter 93A of the General Statutes, relating to real estate brokers and salesmen." [Amends licensing act for real estate brokers and salesmen as follows: (a) Definitions - Modifies definition of "real estate salesman" to provide that he is one who acts under the supervision of a broker; (b) Board - Strikes the limitation on maximum annual per diem allowances of Board members (now $2500); (c) License renewal - Changes procedure by making licenses invalid unless renewed before June 30 following issuance; invalid licenses may be reinstated within twelve months after expiration by submitting late filing fee of $5 (plus present $10 renewal fee); after twelve months Board may apply original license application requirements, including examination (now, license expires on June 30 following issuance but without time restrictions on renewal); (d) License revocation - Adds three new grounds for revocation: (1) commingling money or other property of principals with broker's own, or failing to maintain and deposit in trust or escrow account in insured bank all money received in real estate transaction when acting as broker, escrow agent or funds custodian; (2) failing to deliver to buyer and seller within reasonable time completed copy of purchase agreement or offer; and (3) failing to deliver to seller at time transaction is consummated a complete detailed closing statement of receipts and disbursements handled by broker for seller, or failing to deliver to buyer a complete statement of money received from buyer and details of disbursements; (e) Revocation procedures - Substitutes revocation and suspension procedures of GS Ch. 150 "Uniform Revocation of Licenses" for present detailed provisions; (f) Licensing nonresidents-

Adds proviso that reciprocity applies only to states which grant to NC licensed brokers or salesmen the right to transact real estate business without examination requirement (now, to states which offer the "same privileges" to NC licensed brokers or salesmen). Effective July 1, 1967.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

None

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 42 - Court of Appeals (Senate committee substitute 3/16). Passed third reading.

SB 47 - Clerk's trust fund, as amended in Senate 3/23. Received from Senate; sent to Judiciary 1.

SB 71 - Minor girls employment (Senate committee substitute 3/16). Received from Senate; sent to Manufacturers and Labor.

SB 115 - Adjustment board alternates. Received from Senate; sent to Counties, Cities and Towns.

SB 117 - Headlight use hours, as amended in Senate 3/21. Amended to provide that violation of act shall not constitute negligence per se in civil actions. Postponed to 3/28.

SR 156 - (Joint Resolution) Honoring Ayden H.S. athletics. Received from Senate; passed second and third readings.

HB 74 - Epilepsy not bar to marriage. Reported favorably as to committee substitute, committee substitute adopted to amend GS 51-9 to replace the requirement, in applying for marriage license, that health certificate state applicant was found by examining physician to be "not subject to uncontrolled epileptic attacks, an idiot, an imbecile, a mental defective, or of unsound mind", by a statement that he is "mentally competent" (original bill deleted portion of phrase reading "subject to epileptic attacks").

HB 87 - Court of Appeals (House committee substitute 3/11). Postponed indefinitely.

HB 143 - Motorcycle licensing. Amendment adopted to change exception from license requirement in favor of persons operating motorcycles belonging to, and in the service of "Army, Navy or Marine Corps", to read "Armed Forces". Re-referred to Insurance.

HB 191 - Surplus fund investment. Reported favorably.

HB 192 - Epileptic sterilization repealed. Reported favorably.

HB 289 - Motorcycle definition. Passed second and third readings.

HB 290 - Drivers license surrender. Floor amendment adopted to provide that upon cancellation, revocation or suspension of any "vehicle operator's" license (original bill reads "any license") by Department of Motor Vehicles, the licensee shall surrender to Department all "vehicle operator's" licenses (original bill reads "all licenses") issued to him by Department. Passed second reading; postponed to 3/28.

HR 342 - (Joint Resolution) Honoring Ayden H.S. athletics. Passed second and third readings.

LOCAL BILLS

SB 133 - (Stanly) Albemarle land exchange. Received from Senate; sent to Local Government.

SB 137 - (Robeson) County commissioners' salaries. Received from Senate; sent to Local Government.

SB 139 - (Camden) Deer shooting prohibition. Received from Senate; sent to Wildlife Resources.
SB 140 - (Davidson) Lexington phone co. catwalk. Received from Senate; sent to Counties, Cities and Towns.

HB 305 - (Lincoln) Lincolnton police. Passed.
HB 311 - (Forsyth) Kernersville charter amendment. Passed.
HB 312 - (Halifax) Hosiery mill stock sale. Passed.
HB 323 - (Northampton) Rich Square commissioners. Passed.

Next sessions of the House: 10:00 a.m., Saturday, March 25, 1967, for consideration of local bills only.
8:00 p.m., Monday, March 27, 1967, in the old House Chambers.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 34

Note: The Senate convened at 9:00 a.m., Saturday, March 25, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Monday, March 27, 1967

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

None

LOCAL BILLS INTRODUCED -- SENATE

SB 159 - (Burke) Introduced by Byrd
"To amend G.S. 160-181.2, relating to extraterritorial jurisdiction so as to make it applicable to the Town of Drexel, North Carolina." [Modifies GS 160-181.2 (permitting municipalities with populations of 1,250 or more to exercise extraterritorial zoning jurisdiction within territory extending for distance of one mile beyond municipal limits in all directions) by making section applicable to Drexel in Burke County.] To Counties, Cities and Towns.

SB 160 - (Burke) Introduced by Bryd
"To amend G.S. 9-25 so as to provide staggered terms for the grand jury in Burke County." [Amends GS 9-25 (grand juries in certain counties) by adding new subsection (cc) which provides as follows: Grand jury to be chosen in Burke County after July 1, 1967 at first term of court for trial of criminal cases; first nine members of grand jury to serve one-year terms and second nine members to serve six-month terms. Thereafter, nine members of grand jury to be chosen for one-year terms at first regular criminal term of superior court after January 1 and July 1 of each year respectively. Foreman of grand jury to serve six-month term, to be chosen originally from members serving one-year terms and subsequently to be chosen from members serving six-month terms.] To Judiciary 2.

SENATE CALENDAR ACTION

PUBLIC BILLS

HB 7 - Trout fishing license. Senate committee substitute adopted 3/24 amending GS 113-276 (c) and (d) to provide that any person (or his spouse or dependent under 21 who resides with him) owning land or leasing or using it primarily for cultivation may fish on that land without meeting fishing license requirements of GS 113-271 (hook-and-line licenses in inland fishing waters) and 113-272 (special trout licenses); and to provide that any individual under 16 years of age is exempt from those two sections. (Original bill amended GS 113-272 to exempt NC residents under 16 from special trout licenses.) Passed second and third readings.

HB 166 - Spouse testimony privilege, as amended in Senate 3/24. Postponed to 3/28.

HB 289 - Motorcycle definition. Received from House; sent to Highway Safety.

HR 342 - (Joint Resolution) Honoring Ayden H.S. athletics. Postponed indefinitely.

HR 347 - (Joint Resolution) Memorializing LeGrand. Received from House; passed second and third readings.

LOCAL BILLS

SB 150 - (Robeson) County commissioner addition. Passed.

SB 154 - (Guilford) Temporary county buildings. Passed.

HB 36 - (New Hanover) Steel traps prohibition. Passed.

HB 91 - (Halifax) Community hospital tax. Passed third reading.

HB 179 - (Person) Watershed tax. Passed third reading.

HB 305 - (Lincoln) Lincolnton police. Received from House; sent to Counties, Cities and Towns.

HB 311 - (Forsyth) Kernersville charter amendment. Received from House; sent to Counties, Cities and Towns.

HB 312 - (Halifax) Hosiery mill stock sale. Received from House; sent to Counties, Cities and Towns.

HB 323 - (Northampton) Rich Square commissioners. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: 12 noon, March 28, 1967.

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BULLETIN NO. 34
Monday, March 27, 1967

Note: The House convened at 10:00 a.m., Saturday, March 25, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 347 - (Joint Resolution) Introduced by Stanford and Andrews
"Honoring the life and memory of John Quince LeGrand of Chapel Hill, North Carolina." [As title indicates.] Passed three readings and sent to Senate.

HB 348 - Introduced by Vaughn and others
"To rewrite Chapter 9 of the General Statutes, provide for a jury commission in each county, change the method of preparing jury lists, eliminate certain exemptions from jury service, and for other purposes." [Rewrites Chapter 9, "Jurors" as follows: Jury Commission. Provides for 3-member jury commission in each county, not later than October 1, 1967, one member to be appointed by senior regular resident superior court judge (SRJ) one member by clerk of superior court (CSC), and one member by board of county commissioners. Appointees to be qualified voters of county, and to serve for 2-year terms; members may be reappointed; vacancy filled in same manner as original appointment, for unexpired term. Compensation of jury commissioners fixed by county commissioners, and paid from county general fund. CSC furnishes clerical assistance to commission, as needed. Commission, at least 30 days prior to Jan. 1, 1968, and each biennium thereafter, is to prepare list of prospective jurors to serve in courts of county in ensuing biennium. Commission shall use tax lists of county and voter registration records in preparing list of jurors, and may also use any other source of names deemed reliable. Commission may use less than all names from any one source if it uses systematic selection procedure (e.g., every 2d name), and provided list contains about 3 times as many names as were drawn for jury duty in all courts in county during previous biennium.

Qualifications of juror. Citizen of State, resident of county, no service as juror in preceding 2 years, at least 21 years old, physically and mentally competent, not convicted of a felony or not have pleaded nolo contendere to a felony indictment, and not adjudged non compos mentis. All disqualified persons subject to challenge for cause. Preparation of jury list. Name and address of each person selected for jury duty to be placed on card; cards alphabetized and permanently numbered, numbers running consecutively with a different number on each card. Cards (the jury list) to be filed with register of deeds, together with statement of sources used and procedures followed in preparing list. List available for public inspection during regular office hours. Procedure for drawing panels of jurors. Administrator of Courts prescribes construction and dimensions of jury box, to be furnished by county commissioners to CSC. Thirty days prior to January 1 of any year for which list of prospective jurors has been prepared, a quantity of discs, squares, counters, etc., equal to number of names on jury list shall be placed in jury box. The discs, etc., shall be uniform in size, weight, and appearance, and shall be numbered consecutively to correspond with numbers on jury list. Jury box to be large enough to hold discs, etc., and permit them to be shaken, and to have hinged lid through which discs may be drawn. Lid shall have a lock, key to which shall be kept by clerk. Thirty days prior to any sessions of superior or district court requiring a jury, CSC or an assistant shall publicly draw from box the number of discs equal to number of jurors required for session(s) of court scheduled. For each week of superior

court, SRJ shall specify number of jurors to be drawn; for each week of district court jury session, chief district judge shall specify number of jurors to be drawn. Pooling of jurors between/among concurrent sessions of various courts is authorized, and when done, SRJ, after consultation with chief district judge when a district court jury is required, shall specify total number of jurors to be drawn. When grand jurors are needed semi-annually, nine additicnal numbers shall be drawn CSC is to deliver list of numbers drawn from jury box to register of deeds, who matches numbers received with numbers on jury list, and notifies sheriff to summon for jury duty persons whose numbers are thus matched. Persons so summoned may serve in either superior or district court, or both, for the week for which summoned.

Excuses in exceptional cases. Jury service declared to be solemn obligation of all qualified citizens, and excuses from service should be granted only for reasons of compelling personal hardship or because requiring service would be contrary to public health or safety. Pursuant to this policy, the chief district judge (SRJ in districts not yet having a district judge) is to promulgate procedures whereby he or any district (superior court) judge designated by him, prior to date that jury session of superior/district court convenes, shall hear and pass on applications for excuses from jury duty. Time and place at which applications for excuses from jury service will be heard shall be publicly announced (and be set out on the written summons to jurors). A prospective juror so excused may be required by excusing judge to serve in a subsequent session of court. Excusing judge shall also inform CSC of persons excused, and the CSC shall notify register of deeds, who notes excuse on juror's card. Authority of a presiding judge to excuse jurors is specifically preserved.

Miscellaneous Provisions. Fees of jurors ($3 to $8, now fixed and paid locally) in non-district-court counties unaffected. When county enters district court system, fees controlled by G. S. 7A-312 ($7 per day, plus daily round trip mileage), paid by State. During period July 1, 1967 to December 1, 1967, current jury list may be used, if practicable; if not practicable, a list may be prepared and used in accordance with law existing prior to ratification of this Act. Jury service summons must be served 15 days prior to session of court for which summoned. Service by telephone or 1st class mail authorized. Court may order sheriff to summon from day to day additional jurors (formerly "talesmen") to supplement the original venire, without using the jury list, or he may direct that supplemental jurors or a special venire be selected from jury list in regular manner. Supplemental jurors may also be summoned from neighboring county, if deemed necessary for fair trial. Persons who fail to answer summons subject to fine of not more than $50, in discretion of judge. Procedures with respect to challenges (peremptory and for cause) continued substantially unchanged, except that in civil cases with multiple defendants, judge may increase number of peremptory challenges for each defendant representing a separate interest to not more than 6 (now 4). Grand jurors drawn in January and July (9 each session) to serve for 12 months. Power of grand jury to inspect county homes, workhouses, and jail continued. Current three oaths (capital cases, noncapital criminal cases, civil cases) combined into one. G. S. 1-86, 15-163, 15-164, 15-165, 33-50, 33-51, 90-45, 90-150, and last sentence of 134-66 repealed.] To Courts and Judicial Districts.

LOCAL BILLS INTRODUCED -- HOUSE

None

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 143 - Secret listening, as amended in Senate 3/24. Received from Senate; sent to Judiciary 2.

HB 98 - Wills revocation, as amended in Senate 3/24. Received for concurrence in Senate amendment; postponed to 3/30.
HR 347 - (Joint Resolution) Memorializing LeGrand. Passed second and third readings.

LOCAL BILLS

SB 125 - (Stokes) King charter amendments. Received from Senate; sent to Counties, Cities and Towns.
SB 128 - (Robeson) Library tax. Received from Senate; sent to Local Government.
SB 129 - (Robeson) Lumberton library tax. Received from Senate; sent to Finance.

HB 184 - (Guilford) Emergency reserve fund. Passed.

Next session of House: 12 noon, Tuesday, March 28, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 35

Tuesday, March 28, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 161 - Introduced by Bailey

"Amending the Safe Driving Reward Plan so as to enable the Commissioner of Insurance to formulate and establish a more equitable plan." [Amends GS 58-248.8 (Rates to distinguish between safe and nonsafe drivers) by modifying "Safe Driver Reward Plan" by adding to the classes of drivers that may be distinguished from those with safe driving records, drivers with "a series of minor traffic violations"; and by repealing the last two paragraphs thereof, which provide for assignment of points schedule upon conviction of specified traffic violations, and provide that not more than one point shall be assigned by an insurer for an accident caused by insured, while insured's vehicle is moving. Effective Sept. 1, 1967.] To Insurance.

SB 162 - Introduced by Bailey

"To amend the Motor Vehicle Safety Responsibility Act of 1953, Chapter 20, Article 9A, Article 10 and Article 11 of the General Statutes of North Carolina, to increase the present required minimum limits of proof of financial responsibility." [Raises insurance requirements to $10,000 in accidents involving death or bodily injury to one person and to $20,000 involving such death or injury to two or more persons in the following instances: amount of damages that person must show capability of responding to in order to prove financial responsibility (GS 20-279.1(11)); minimum security to be required when accident has occured and there is no evidence of insurance (GS 20-279.5); amount to be paid on judgments resulting from such accidents in order that judgment be deemed satisfied for purpose of restoring suspended license (GS 20-279.15); limits that may be placed on motor vehicle liability policies (GS 20-279.21); minimum proof of financial responsibility necessary for operators of less than 15 taxicabs (GS 20-280(b)); minimum amount of liability insurance necessary for those engaged in business of renting or leasing motor vehicles (GS 20-281). Amends GS 20-279.25 (permitting deposit of money or securities with State Treasurer as means of proving financial responsibility) to raise value of such deposit to $25,000 (now $15,000). Deletes from GS 20-279.34 (assigned risk plans) proviso that Motor Vehicles Comm'r may require carrier to issue policy for not more than $10-20-5,000 limits to assigned risk requesting more than minimum necessary policy. Effective Jan. 1, 1968; applies only to policies written or renewed on or after effective date where manner of proving financial responsibility is by liability policy.] To Insurance.

SB 163 - Introduced by MacLean by request

"To amend Article 3 of Chapter 108 of the General Statutes to provide that counties may transfer unexpended balances of welfare funds from one public assistance program to another." [Substitutes for present GS 108-25, 108-54

and 108-73.12 new GS 108-73.12, providing that no State or county appropriation for public assistance programs shall lapse or revert; that unexpended balances may be considered in making further appropriations; and that counties with approval of State Board of Allotments and Appeal may transfer funds from one public assistance program to another at any time during fiscal year. Repeals present GS 108-73.12, 108-54 and 108-25 which provide that: no appropriation made for old age assistance (OAA), aid to dependent children (ADC) or aid to the permanently and totally disabled (APTD) shall lapse or revert; that unexpended balances of county tax funds for said programs, respectively, shall be taken into account in determining following year's taxes but shall not be used other than within each separate program category, except that, with approval of State Board of Allotments, county may transfer a portion of county funds for any of these three programs (OAA, ADC, and APTD) to the county fund for any one of the other two named programs; GS 108-25 also specifically authorizes transfer of OAA funds to ADC, and GS 108-54 specifically authorizes transfer of ADC funds to OAA.] To Public Welfare.

SB 164 - Introduced by MacLean by request

"To repeal G.S. 108-38 pertaining to welfare administration expenses and to rewrite G.S. 108-67 pertaining to welfare administration expenses to transfer certain authority from the Board of Allotments and Appeal to the State Board of Public Welfare and to clarify certain duties of the State Board of Public Welfare and the several boards of county commissioners." [Amends Art. 3, Ch. 108 (Division of Public Assistance) by repealing GS 108-38 (allocation to counties by State Board of Allotments and Appeal of sum provided by Federal government under Social Security Act for payment of administrative expenses) and rewriting GS 108-67 ("Administration Expenses") to be entitled "County Administrative Expenses".

New GS 108-67 authorizes State Board of Public Welfare (Board) to determine adequacy of annual budgets submitted by counties on or before May 15 for administration of county welfare programs (now State Board of Allotments and Appeal annually allocatesto counties federal funds for administrative expense, with excess amounts to several counties to be determined by Allotments Board upon budgets submitted by county welfare boards). Each year by June 1, or when amount of state and federal participating funds is known, Board shall notify a board of county commissioners if its budget is adequate as it relates to staffing and administrative expenses and resultant equitable share of such expenses, and amount of state and federal funds allocated to county on basis of county administrative budget. Upon receipt of notice county commissioners must provide budget to pay its equitable share of county welfare administration (now each year, Allotments Board, on or before June 1, notifies county commissioners as to amount of administrative expenses county is required to provide, and upon receipt of notice each county must levy taxes to provide for its share of administrative expenses). Federal funds allocated and payable to counties to be the sum provided by Federal Government under Social Security Act for payment of welfare administrative expenses. State funds allocated to counties from "Aid to County Administration" funds must not be more than one-half of non-federal share of county's approved budget (now, amount not to exceed one-half of such costs to be allocated to counties by Allotments Board from appropriation made by state for aid to county administration). Amount of state funds to be allocated to each county to be determined by Board by just and fair method so as to favor counties needing additional funds to equalize tax burden. Effective July 1, 1967.] To Public Welfare.

SB 165 - Introduced by MacLean

"To amend Part 4 of Chapter 108 of the General Statutes entitled 'Hospitalization and Other Care of Assistance Recipients' (as distinguished from Part 4 of Chapter 108 of the General Statutes entitled 'Medical Assistance') to provide for direct payments to nursing homes and physicians on

behalf of certain welfare recipients." [Amends GS 108-73.13 to authorize disbursements from State Funds for Hospitalization "and Other Care" of Assistance Recipients (adds quoted words to title of Fund) to provide for necessary physician services and nursing home care, in addition to presently authorized purposes. Makes conforming amendment to GS 108-73.14 to permit rate per recipient of payments into Fund to reflect costs of physician services and nursing home care; also amends GS 108-73.14 to provide that rate per recipient shall take into consideration needs of recipients for types of assistance described in this Part (now, for hospitalization and drug needs). Makes conforming amendments to GS 108-73.15 (regulations concerning extent of payments), 108-73.16 (custody and receipt of funds, and 108-73.17 (disbursements on claims under this Part). Effective July 1, 1967.] To Public Welfare.

SB 166 - Introduced by MacLean by request

"To require a license from the State Board of Public Welfare in order to operate a facility for part-time care of children." [Identical with HB 353, digested in the House section of today's bulletin.] To Public Welfare.

SB 167 - Introduced by Whitehurst

"To require motor vehicles to be equipped with safe tires." [Adds GS 122.1 requiring motor vehicles operated on streets and highways of State to be equipped with tires safe for operation of vehicle and not exposing public to needless hazard; tires to be deemed unsafe if cut, cracked, or worn so as to expose tire cord or if tread separation or chunking is visible. Defines these terms: bead, carcass, chunking, cord, ply, rim, sidewall, tread, tread separation, and tread depth.] To Highway Safety.

SB 168 - Introduced by Warren and others

"To rewrite Chapter 9 of the General Statutes, provide for a jury commission in each county, change the method of preparing jury lists, eliminate certain exemptions for jury service, and for other purposes." [Identical with HB 348, digested in the House section of yesterday's bulletin (Bulletin No. 34).] To Courts and Judicial Districts.

SB 169 - Introduced by Kemp and others

"To allow persons engaged in the business of farming to deduct for income tax purposes land clearing expenses." [Adds new paragraph "e" to GS 105-147 (1) (deductions in computing net income for State income tax) providing that reasonable expenses paid during income year for purpose of clearing land to make it suitable for farming is an allowable deduction for taxpayers engaged in business of farming, to extent allowable under Section 182 of IRC of 1954 as amended. Applicable to all income tax years beginning on or after Jan. 1, 1967. Identical with HB 354.] To Finance.

SB 170 - Introduced by Kemp and others

"To exempt small sales made through one cent vending machines from sales and use taxes." [Amends GS 105-164.13 (enumerating exemptions from sales and use taxes imposed by Chapter 105, Article 5) to include sales from vending machines when sold by owner or lessee of machines at price of one cent per sale. Effective July 1, 1967.] To Finance.

SB 171 - Introduced by Penn and others

"To make certain supplemental appropriations to the North Carolina Agricultural Extension Service for the employment of an area extension specialist for the Northern Piedmont area of North Carolina composed of Rockingham, Guilford, Caswell, Alamance, Davidson, Randolph and Chatham counties." [Appropriates to Agricultural Extension Service from General Fund $19,287,00 for each of fiscal years 1967-68 and 1968-69, to be used to employ professional personnel and secretarial help,for office supplies and equipment

and for travel expenses incident to employing Northern Piedmont area extension specialist. Effective July 1, 1967.] To Appropriations.

SB 173 - Introduced by Allsbrook and others
"To create a Board of Water and Air Resources and to define its duties and powers relating to water and air pollution control and water resource management." [Identical with HB 356 digested in the House section of today's Bulletin.] To Conservation and Development.

SB 174 - Introduced by Griffin and Alford
"To amend Section 160-421 of the General Statutes, being a part of the Revenue Bond Act of One Thousand Nine Hundred and Thirty-Eight, as amended, with reference to the sale of revenue bonds at private sale and without advertisement." [Adds to GS 160-421 (approval of State agencies and sale of bonds by Local Government Commission) provision that upon filing of resolution of municipal governing body with Local Government Commission requesting that its revenue bonds issued pursuant to Art. 34 (Revenue Bond Act of 1938) be sold at private sale and without advertisement, and upon approval of request by Commission, Commission may sell such bonds at private sale and without advertisement to purchasers at price approved by municipality which Commission determines to be for municipality's best interests; no such sale to be made at a price so low as to require payment of higher interest rate than 6% per year computed with relation to absolute maturity of bonds in accordance with standard bond value tables but excluding amount of any bond redemption premium.] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

SB 172 - (Rockingham) Introduced by Penn
"Amending Chapter 208 of the session laws of 1957 relating to the compensation of the members of the Board of County Commissioners of Rockingham County." [Raises annual salary of commissioners to $1200 (now $300) and that of chairman to $1500 (now $500) and decreases to $15 (now $20) and $20 (now $25) the compensation for members and chairman, respectively, for special meetings of board held in excess of regular monthly meetings. Adds provision that chairman shall receive $400 annually for necessary travel expenses while engaged in official business; and that, in addition, all members shall receive 7¢ per mile for necessary travel while engaged in official business. Effective July 1, 1967.] To Salaries and Fees.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 98 - Produce handler bonds. Passed second and third readings.

HB 166 - Spouse testimony privilege, as amended in Senate 3/24. Floor amendment adopted providing that act not to affect pending litigation relating to a criminal offense against minor child. Passed second and third readings.

HB 223 - Construing charitable trusts. Reported favorably.

LOCAL BILLS

SB 144 - (Randolph) Corporate limit extension. Passed third reading.

HB 184 - (Guilford) Emergency reserve fund. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: 12 noon, March 29, 1967.

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BULLETIN NO. 35
Tuesday, March 28, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 349 - Introduced by Britt of Johnston and Love
"To provide for presenting instruments to register of deeds for registration." [Amends GS 47-14 to provide that when instrument is offered for registration, register of deeds shall examine certificates of proof or acknowledgment appearing on instrument, and if it appears on face of instrument that execution by one or more signers has been proved or acknowledged and certificates are in due form, register to so certify and to register instrument together with certificates (now, a duty of clerk or deputy clerk of county superior court). Adds that when register denies registration pursuant to foregoing authority, person offering instrument for registration may present it to clerk of superior court in county in which instrument offered. Clerk to examine certificates of proof or acknowledgment appearing on instrument, and if face of instrument indicates that instrument has been executed by one or more of signers and duly proved or acknowledged and certificates to that effect are in due form, clerk to so adjudge and order instrument registered together with certificates, and register of deeds to register them accordingly. Amends GS 47-17.1 (relating to documents accepted for probate or recordation in certain counties) to include registers of deeds (now, only superior court clerks) in prohibition against accepting certain documents for probate or recordation. Amends GS 47-37, by adding a form of register's certificate and adjudication of registration, and giving example of clerk's adjudication and order of registration. Effective October 1, 1967.] To Judiciary 2.

HB 350 - Introduced by Roberson and others
"To make appropriations to East Carolina College for the construction of mental retardation facilities serving the mentally retarded in twenty-eight eastern North Carolina counties." [Appropriates to East Carolina College for the biennium commencing July 1, 1967 the sum of $100,000 from General Fund for new construction to house the Developmental Evaluation Clinic of East Carolina College and for construction of an adjoining day care center with appropriation to be used as matching funds for federal grant.] To Appropriations.

HB 351 - Introduced by McKnight
"To provide that minors, sixteen years of age and older, may be tried in the Superior Court for felonies." [Repeals subsection (6) of GS 110-29 (providing that if a child of fourteen is charged with a felony for which punishment cannot exceed ten years in prison, case shall be investigated by probation officer and judge of juvenile court unless it appears to said judge that case should be brought to attention of judge of superior court, in which case child shall be held in custody or bound to next term of superior court.) Effective on ratification in counties having district court established under GS 7A; effective in remaining counties when such court established.] To Judiciary 2.

HB 352 - Introduced by Burrus and Roberson
"For the development of Somerset Place State Historic Site." [Appropriates to State Department of Archives and History from General Fund, $11,800 for fiscal year 1967-68, and $7,700 for fiscal year 1968-69, for maintenance and operation of Somerset Place Historic Site; and appropriates $59,000 for restoration of historic buildings and grounds thereof.] To Appropriations.

HB 353 - Introduced by Kiser by request

"To require a license from the State Board of Public Welfare in order to operate a facility for part-time care of children." [Adds Article 6 (GS 110-64 through GS 110-76) to GS Ch. 110 to provide for "licensing of facilities for part-time care of children". Defines "child" as one under 16 years of age and "child care facility" as any program or facility operated for part-time care of children away from their homes during day or night by persons other than parents or relatives for profit or on non-profit basis which cares for six or more children for more than five weeks during any 1-year period. Excepts from definition of child care facility care by: any blood or marriage relative of child; person with whom child resides; court appointed custodian or guardian; college, university or public school program; during religious services; summer camping programs; or by any facility, other than private kindergarten, subject to regulation or supervision by State Board of Education or State Department of Public Instruction. Vests in State Board of Public Welfare (Board of Welfare) responsibility for coordinating, prescribing, and publishing rules and regulations for licensing child care facilities. Charges Board of Welfare with responsibity for establishing rules and regulations for protection of children in child care facilities including rules relating to number and ages of children cared for, adequacy of space, equipment, personnel, record keeping and reports; charges State Board of Health with responsibility for prescribing rules and regulations concerning medical or public health aspects of child care program including personal health safeguards for both staff and children of child care facility, and makes GS 130-170 (authorizes State Board of Health to regulate sanitation in certain establishments) applicable and includes list of specific sanitary concerns; charges Commissioner of Insurance with responsibility to prescribe rules and regulations concerning fire safety and building structure. Authorizes State Board of Public Welfare to license complying applicants and makes it unlawful to operate any child care facility without license. License valid as long as facility maintains established standards. Provisional licenses provided to cover cases where facility fails to comply with established rules and regulations but appears likely to do so within reasonable time. Provisional licenses reviewable as needed, but at least every six months; absent special showing of acceptable progress, 1-year maximum limit to provisional license. Department of Public Welfare (DPW) to visit each facility at least once annually for purposes of inspection and improvement of child care, and may furnish consulting and training services upon request. Child care facility to allow visitation by DPW at reasonable times and to cooperate in providing information necessary to determining compliance with regulations. Child care facility to secure appropriate health, fire, sanitation and safety inspections and furnish inspection reports annually to DPW. Local representative of State Board of Health may close facility for failure to meet health requirements. Licenses of facilities may be revoked by registered mail notification by Board of Welfare when facility fails to meet established rules or regulations or fails to furnish necessary reports or information. License not transferrable from either person or premises to which issued. Appeal from refusal to issue, or revocation of, license to Board of Welfare upon registered mail notice to Commissioner. Operation of facility without license a misdemeanor punishable in discretion of court, Board of Welfare also authorized to use injunction to stop unlicensed operations. Adds to GS 115-38 (relating to public kindergartens) provision that section shall apply to educational qualifications and teaching ability of staffs of private kindergartens and to nature and extent of private kindergarten curricula. Effective Jan. 1, 1968. Identical with SB 166.] To Public Welfare.

HB 354 - Introduced by Leatherman and Chase

"To allow persons engaged in the business of farming to deduct for income tax purposes land clearing expenses." [Identical with SB 169, digested in the Senate section of today's bulletin.] To Finance.

HB 356 - Introduced by Ragsdale and others

"To rewrite Article 21 of Chapter 143 of the General Statutes, relating to stream sanitation, air pollution, and water resources." [Enacts "North Carolina Air and Water Resources Act," (revised G.S. Ch. 143, Art. 21), which reorganizes and consolidates water and air resource programs of North Carolina as follows: Organization and Administration--Creates Department of Water and Air Resources to carry forward activities of present Department of Water Resources, Board of Water Resources, Stream Sanitation Committee and air pollution control program. Provides for Board of Water and Air Resources to administer act, to consist of eleven members appointed by Governor. Original appointments to be made from membership of present Board of Water Resources and State Stream Sanitation Committee by July 1, 1967, with staggered six-year terms (Six for six years, three for four years, and two for three years, as designated by Governor). Successors to be appointed on basis of two members from industry, two from agriculture, two from municipalities, one from county government, two from fish and wildlife, and two at large. Governor to designate chairman for period fixed by Governor. Authorizes Governor to remove a Board member after hearing for inefficiency, neglect, malfeasance, misfeasance, or non-feasance. Authorizes new Board to divide work of Department into divisions of air and water pollution control, ground water, navigable waterways, and such other divisions as Board deems proper. Provides for compensation of board members (per diem and subsistence) and for organization and meetings of Board. Authorizes Board to appoint subdivisions or committees from its membership to hold hearings and report thereon to Board, make investigations to carry out other business and policies as directed. Authorizes Board with approval of Governor to appoint a full-time Director experienced and knowledgeable in fields of air and water resource management to direct work of Department personnel and to be the administrative officer of the Board; and to appoint as assistant director a well qualified sanitary engineer, knowledgable in principles of air and water pollution control, to carry out under supervision of director administrative duties and policies concerning air and water pollution control programs. Provides for employment of personnel, consultants (with approval of Governor) and for Attorney General to act with Board's Attorney. Authorizes Board to receive and administer Federal and private funds, comply with necessary conditions thereof, and enter necessary contracts therefor. Provides for thirteen-member Air and Water Pollution Control Advisory Council appointed by Governor, to serve at pleasure and without compensation except subsistence and travel. Council to include one registered professional engineer experienced in air and water pollution control matters; one licensed physician knowledgeable in health aspects; one practicing aquatic biologist knowledgeable in water quality; one representative each of municipalities, counties, agriculture, and institutions of higher education; and one representative each of power generating, chemical, mining, fuels, pulp and paper, and textile industries.

Air Pollution Control: (a) State's Program--Adds revised G.S. 143-215 empowering new Board to prepare comprehensive plans for air pollution control, prevention and abatement; to adopt air quality standards and classifications for use in classifying air contaminant sources according to levels and types of emissions and other characteristics, and to require reports of air polluters. Board's powers may be applied in state as a whole or in designated areas of state, and Board is to recognize varying local conditions and requirements. Spells out procedures for proposed and final adoption of air pollution control standards and classifications, including notice and hearings.

Spells out detailed provisions governing control of new sources of air pollution, abatement of existing sources of air pollution, research functions concerning air pollution, and relations with federal government and other states generally corresponding to existing provisions governing control of new sources of water pollution and abatement of existing water pollution as set forth in G.S. 143-215.1, 143-215.2, and 143-215.3(b)-(d). Authorizes Board to make continuing studies of effects of emission of air contaminants from motor vehicles on atmospheric quality and make recommendations for control thereof, and to encourage and consult with local governments on air pollution control programs. (b) Local Air Pollution Control.--Authorizes municipalities, counties, local boards, or groups of municipalities and counties to establish and to administer air pollution control programs meeting state standards and subject to certification and general supervision of new Board; local programs may be certified which provide requirements compatible with state standards with adequate administrative organization, financing, staffing and enforcement provisions. Spells out detailed procedures governing review of certified local programs to determine their adequacy looking toward possible rescission of certification and subsequent reinstitution of state administered regulation. Authorizes Board in appropriate cases to approve area-wide air pollution control programs as the only acceptable alternative to direct state program administration; also, to retain jurisdiction over classes of contaminant sources if it finds control to be beyond reasonable local capabilities. Authorizes localities to apply for federal grants for air pollution control with approval of Board. Act not to supersede existing local programs, provided they meet certification requirements within two years from effective date of act.

State Board of Water Resources: Effective July 1, 1967 abolishes State Board of Water Resources and repeals G.S. 143-353 (providing for composition and organization of Board; for appointment and functions of Director of Water Resources, and for Divisions of Department). Also repeals GS 143-348, 143-349, and 143-351 (short title, creation of DWR, and policy declaration). Transfers records, appropriations, claims, liabilities, personnel, allotments, contracts, etc., of State Board of Water Resources and State Stream Sanitation Committee to new Board; Department of Administration to supervise the transfer and arbitrate any differences or disputes; expenses of carrying out article and transfer to be provided out of appropriations to existing agencies if feasible. Governor with approval of Council of State may transfer additional funds necessary from Contingency and Emergency Fund. Transfer not to affect pending proceedings, transactions, orders etc. Vests all functions of State Department of Water Resources and State Board of Water Resources in new Board except those set forth in G.S. 143-353.

State Stream Sanitation Committee: Carries forward the text of G.S. 143-215 through 143-215.2 concerning water classification and standards, and control of new and existing pollution, substitution "Board" for "Committee" throughout, and making the following changes: expands control of new pollution sources under GS 143-215.1(a)(4) to cover increased wastes from existing treatment works; omits last sentence of G.S. 143-215.1(a)(5) concerning the effect of State Board of Health approvals of disposal systems prior to effective date of watersheds; omits provisions in G.S. 143-215.1(c) that consideration of permits thereunder shall be given preference; adds authority for Board to require submission of plans, specifications and information necessary for evaluation of permit applications; omits proviso of first paragraph of G.S. 143-215.2(f) precluding special orders against other parties within a segment of a river when enforcement cannot be had against municipalities; omits second proviso to second paragraph of G.S. 143-215.2(f) concerning court actions against polluters in segments effected by municipalities and adds reference to metropolitan sewage districts in said paragraph; makes provisions of G.S. 143-215.2(g) concerning voluntary projects applicable to cases arising prior to "effective date" applicable to any watershed or establishment of air quality or emission control standards (now applicable to watershed after April 6, 1951); makes provisions of fishkill law, GS 143-215.3 (a)(7) applicable to air pollution.

Miscellaneous: Carries forward text of G.S. 143-215.3 through 143-215.7 concerning general powers of Board, procedures, judicial review, violations and penalties, and effect on public water supplies and sanitary sewage disposal laws, substituting "Board" for "Committee" throughout and making the following changes: expands cited sections to include air pollution functions; adds provisions prohibiting refusal of access or entry to Board representative for purposes of inspection, or interference with such inspection; requires that Board employees who are delegated the authority to hold hearings, make hearing reports; authorizes Board to consult with persons proposing to install air or water pollution sources, waste disposal systems or air cleaning devices. Also adds authority for Board to declare an air pollution or water pollution emergency affecting public health or safety and requiring immediate action to reduce emission of air contaminants or discharge of wastes, which Assistant Director with consent of Director and Governor may order; and for Assistant Director with consent of Director and Governor to order immediate reduction or discontinuance of emissions or discharges if he finds imminent danger to human health or safety or to fish and wildlife. Also authorizes Attorney General to approve reporting of hearing proceedings other than by reporters; and increases penalties for violations to $100 to $1000 (now $50 to $500). Provides that act shall not abridge local ordinances and laws regarding air pollution. Adds new G.S. 143-215.8 authorizing director or assistant director to institute civil action in Superior Court for injunction to restrain violation of article. Provides that act is not to be construed to give Board jurisdiction over air contamination arising solely within commercial and industrial plants, to affect employer-employee relations arising out of air pollution conditions, or to supersede any law, regulation or ordinances concerning industrial health or safety. Declares public policy of State regarding air and water resources protection and use. Defines various terms used in act including a broad definition of "waters" and new definitions of "air contaminants", "air contamination","air pollution", and "air cleaning device."] Makes conforming changes in references to Stream Sanitation Committee in GS 130-161, 130-165, 130-383, 105-147(13), 105-294, 105-296, 105-297, and 105-122(b) and (d); and conforming changes in definitions of Board and Department of Water Resources in GS 143-350; repeals definition of "person" in GS 143-350. Repeals GS Ch. 130, Art. 25, providing for State Air Hygiene Program and Air Hygiene Service within State Board of Health. Adds air cleaning devices and air pollution abatement equipment to: facilities eligible for rapid amortization allowances in computing State income taxes under GS 105-147(13); property whose value is not to be assessed for ad valorem taxation under GS 105-294; real and personal property exempt from taxation under GS 105-296 and 105-297; and facilities whose cost can be treated as deductible reserves for purposes of the corporate franchise tax under GS 105-122(b) and (d).] To Water Resources and Control.

HB 357 - Introduced by Tolbert

"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes." [Appropriates $2,916 from General Fund to Department of Conservation and Development for each of fiscal years 1967-68, and 1968-69, for forest fire control purposes in Iredell County and more particularly for salary and other expenses of an assistant county ranger for county. Effective July 1, 1967.] To Appropriations.

HB 358 - Introduced by Haynes

"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes." [Appropriates $3,132 from General Fund to Department of Conservation and Development for each of fiscal years 1967-68, and 1968-69, for forest fire control purposes in Yadkin County and more particularly for salary and other expenses of an assistant county ranger for county. Effective July 1, 1967.] To Appropriations.

HB 360 - Introduced by Boger and Tolbert
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes in Davie County." [Appropriates from General Fund to Department of Conservation and Development, Forestry Division, $7,024 for period commencing on ratification of act and ending June 30, 1968 and $1,069 for fiscal year 1968-69 for forest fire control purposes, including erection of a Sheffield fire lookout tower and for tower operator's salary in Davie County, with any remaining funds to be used in other counties of State if deemed necessary by State Forester.] To Appropriations.

HB 361 - Introduced by Boger
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes." [Appropriates $3,132 from General Fund to Department of Conservation and Development for each of fiscal years 1967-68 and 1968-69, for forest fire control purposes in Davie County and more particularly for salary and other expenses of an assistant county ranger for county. Effective July 1, 1967.] To Appropriations.

HB 362 - Introduced by Garner and Blake
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes." [Appropriates $2,916 from General Fund to Department of Conservation and Development for each of fiscal years 1967-68 and 1968-69, for forest fire control purposes in Randolph County and more particularly for salary and other expenses of an assistant county ranger for county. Effective July 1, 1967.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 355 - (Ashe) Introduced by Barr
"To authorize the Town of West Jefferson to convey certain lands at private sale to the State of North Carolina." [Authorizes Town of West Jefferson to sell and convey to State, at private sale, for nominal consideration, a parcel of land located in West Jefferson Township and described by metes and bounds, upon condition that said parcel be used for State park purposes in connection with Mount Jefferson State Park and that if it should ever cease to be so used it shall revert to town.] To Local Government.

HB 359 - (Union) Introduced by Clark
"To amend G.S. 97-16 regarding workmen's compensation benefits for certain officers of Union County." [Deletes Union county from list of counties in which sheriff may exempt himself and deputies appointed by him from provisions of Workmen's Compensation Act by notice in writing to Industrial Commission.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 37 - Ethyl alcohol testing, as amended in Senate 3/15. Reported favorably.
SB 117 - Headlight use hours, as amended in Senate 3/21 and in House 3/24. Re-referred to Judiciary 1.

HB 7 - Trout fishing licenses. (Senate Committee substitute 3/27). Received for concurrence in Senate Committee substitute; concurred.
HB 71 - Restricting capital punishment. Reported unfavorably.
HB 74 - Epilepsy not bar to marriage. (House Committee substitute 3/24). Passed second and third readings.
HB 191 - Surplus fund investment. Passed second and third readings.
HB 192 - Epileptic sterilization repeal. Passed second and third readings.
HB 242 - Continue Wright School. Reported favorably.
HB 290 - Drivers license surrender, as amended in House 3/24. Floor amendment adopted to provide "all unexpired" (original bill reads "such") licenses surrendered to Department of Motor Vehicles under act shall be returned at end of period of revocation or suspension. Passed third reading.
HB 335 - Western Carolina center. Reported favorably.

LOCAL BILLS

SB 150 - (Robeson) County commissioner addition. Received from Senate; sent to Local Government.
SB 154 - (Guilford) Temporary county buildings. Received from Senate; sent to Local Government.

BILLS RATIFIED

SR 156 - (Joint Resolution) Honoring Ayden H.S. athletics. [R 30]
HB 23 - (Pamlico) Bayboro ad valorem. [Ch. 97]
HB 39 - (Gaston) School bus use. [Ch. 98]
HB 97 - Trustee renunciation, as amended in House 3/17. [Ch. 99]
HB 120 - Bond-water contract limits. [Ch. 100]
HB 144 - Gambling surveillance repeal. [Ch. 101]
HB 155 - (Richmond) Rockingham street improvements. [Ch. 102]
HB 231 - (Bertie) Special taxes-officials' pay. [Ch. 103]
HB 243 - (Sampson) Salemburg charter revision. [Ch. 104]
HB 247 - Choleric swine slaughter, as amended in House 3/21. [Ch. 105]
HB 256 - Nonhighway speed limits, as amended in House 3/17. [Ch. 106]
HB 260 - (Pasquotank) Elizabeth City boundaries. [Ch. 107]

Next session of House: 12 noon, Wednesday, March 29, 1967.

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BULLETIN NO. 36

Wednesday, March 29, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 175 - Introduced by Whitehurst
"Requiring test drilling or boring on highway rights-of-way and public land to be filed as public records." [Prohibits making of test drillings or borings upon right-of-way of roads or highways under jurisdiction of State Highway Commission (SHC), without written authorization of owner or person in charge of land where easement is located. Requires complete record of results of test drilling or boring to be filed immediately with SHC Chairman, with record to be public. Section not to apply to drillings or borings by SHC for highway purposes only. Requires those making test drillings or borings upon any public lands owned or controlled by State to file complete record of results thereof with Director of Administration, with record to be public. Makes violation of Act a misdemeanor punishable in discretion of court.] To State Government.

SB 176 - Introduced by Brumby and Evans
"To create the North Carolina Arts Council." [Creates in Dept. of Administration North Carolina Arts Council to consist of 24 members appointed by Governor. Governor to appoint Chairman upon nomination of Council, with Council to elect other officers. Members to serve 3-year terms but of members first appointed eight to serve 1-year terms, eight to serve 2-year terms and eight to serve 3-year terms. Membership on Council to be limited to two successive terms, member may be reappointed after one year lapse. Members entitled to reimbursement for authorized expenses. Council to meet annually or more often if Chairman designates. In accordance with State Personnel Act, Council to appoint Executive Director to serve at will. Director to select and appoint other personnel, in accord with Personnel Act. Council to (1) study, maintain and disseminate information relative to arts, (2) assist local organizations with needs, resources and opportunities in arts, (3) serve as clearing house and coordinator for public and non-public organizations concerned with arts, (4) identify research needs and assist in obtaining funds for research, and (5) assist in bringing quality arts to State and promote maximum opportunity for enjoyment of arts. Council to submit biennial progress report to Governor and General Assembly. In addition to General Fund appropriations, Council permitted to accept gifts, matching funds, etc. Persons appointed to Council holding office, place of trust or profit under Federal or State government to serve on Council ex-officio and to perform their duties on Council in addition to their regular duties. Identical with HB 378.] To State Government.

SR 177 - (Joint Resolution) Introduced by Futrell and others

"Directing the Legislative Research Commission to study the feasibility and desirability of reorganizing the conservation and development activities of State Government, and to report its findings and recommendations to the 1969 General Assembly." [As title indicates; study may include but need not be limited to (a) desirability of dividing functions of Dep't of Conservation and Development between two departments, one to be concerned with commerce and industry and development, and one to be concerned with natural resources; (b) appropriate scope for a department of natural resources, including the desirability of including conservation, management, regulation and use of water resources, fish and game resources, parks, forests, recreational resources, and the environment generally; and (c) appropriate provisions for liaison and co-ordination as between resource agencies and development agencies, and as within resource agencies.] To Conservation and Development.

SB 179 - Introduced by Byrd

"To amend G.S. 143-117 to add Western Carolina Center to State mental institutions." [Adds Western Carolina Center to State mental institutions listed in GS 143-117 (institutions where persons are required to pay actual cost of care, treatment, training and maintenance). Act to apply to persons now or hereafter residents at Center and to those whose accounts are due or owing.] To Mental Institutions.

SB 180 - Introduced by Alford

"To provide that settlement of property damage claims arising out of motor vehicle collisions shall not constitute an admission of liability by the person making such settlement or by the insurance carrier and to provide that acceptance of such settlement by an injured party shall not constitute a release or bar of further claims for bodily injury or death." Adds new GS 1-540.2 providing as title indicates; rule applies whether settlement made by individual, self insurer or carrier; evidence of fact of such settlement declared incompetent in civil action arising out of collision. Effective July 1, 1967 and to apply to claims and causes of action arising after said date.] To Insurance.

SB 181 - Introduced by MacLean

"Relating to the time of holding elections by the North Carolina Cotton Promotion Association, Inc., under the provisions of Article 50 of Chapter 106 of the General Statutes." [Identical with HB 367, digested in the House section of today's bulletin.] To Agriculture.

SB 182 - Introduced by Moore

"To amend Chapter 18 of the General Statutes to establish a system of control of the consumption of alcoholic beverages through licensing of on-premises sale thereof." [Creates new Article 14 of GS Ch. 18 making following provisions: Defines various terms used in Article. Authorizes sale of alcoholic beverages by the drink for consumption on premises of clubs, hotels, and restaurants in counties or municipalities having or hereafter establishing liquor control stores and in which majority in election, as provided in Article, votes for system provides for initiation of election by written request of governing body of governmental unit or petition of 15% of voters of that unit voting in last gubernatorial elections; spells out election procedures. Provides for elections to terminate previously authorized on-premises sale of liquor in that unit. Provides for possibility of municipal election on subject of permitting such sale upon initiation by proper petition despite failure of such a vote on county-wide scale, after which local ABC board is to establish within that municipality the system authorized by article if vote favors such establishment. Permits licensing after favorable vote of clubs, hotels, and

restaurants, as defined. Establishes requirements for licensees including: compliance with applicable health and safety regulations; noncontrol by one otherwise engaged in liquor business; noncontrol by one convicted of, or having pleaded guilty or nolo contendere to felony or other crime involving moral turpitude within past two years or to violation of federal or state alcoholic beverage control laws within past year; adequate financing and substantial monetary investment by those in control; management control by persons experienced in line of business; and substantial portion of all gross receipts from sale of food. Requires applications to local ABC board for license and license renewal to contain that information necessary to make the determinations necessary for judging the suitability of granting or renewing license and application fee of $100 for new licenses. Board shall advertise applications in prescribed manner and set hearing on granting of license at which all persons may be heard. Board shall grant application if satisfied that applicant meets requirements and that location of proposed licensed facility, or number of licenses of same type previously granted in area, would not be detrimental to public interest. Local board shall not approve application for premises located in any municipality whose governing body has by resolution requested board not to. Denial of any application to be accompanied by notification to applicant of reasons for denial. Applicant may within 10 days after date of notice file written request for hearing, to be promptly granted. If denial is affirmed on hearing, applicant has right to appeal to superior court of county, notice of such appeal to be given within 10 days of termination of hearing. Procedure for such appeal and scope of review to be as prescribed in GS Ch. 143. On approval of application, applicant shall obtain state license from Comm'r of Revenue for premises, license fee to be as follows: club-$300/yr. plus $150 for each club member in excess of 200; hotel-$750 yr.; restaurant-$500/yr. Applicant also must obtain license for same amount from municipality, or, if not in municipality, from county - receipts to be used as other general funds are used. Licenses to be valid only for premises described therein and renewable each year. Privilege tax of 50¢ per bottle purchased shall be paid by licensee to county or municipality to be collected each time bottle is purchased; 50% of all tax so collected to be remitted to proper fiscal officer of municipality and 50% to such officer of county unless premises not within municipality, in which case all to be remitted to county. All such funds may be used for any general purposes. Provides special procedures for purchase of alcoholic beverages by licensee only from local ABC store. Prohibits licensee from: permitting any gambling or gambling devices on premises; permitting improper conduct or language on premises; employing hostesses to procure liquor purchases, employing those with certain criminal records; possessing or permiting possession of other alcoholic beverage on premises; selling or allowing removal from premises of alcoholic beverages other than by the drink; selling alcoholic beverage to intoxicated person or minor or allowing intoxicated person to remain upon premises (except in guest bedroom of hotel) or permitting one to give alcoholic beverages to minor upon premises; failing to have necessary license, permit or stamp required by U.S. for sale of alcoholic beverages on premises; violating rule or regulation issued pursuant to this Article; accepting financial aid or assistance from one engaged in liquor business; failing to destroy or re-using container in which alcoholic beverage purchased; serving customer brand of alcoholic beverage other than that ordered. Authorizes State Board to issue rules and regulations, among other things, concerning layout and lighting of premises; entertainment on premises; advertising on premises; books and records to be kept. Authorizes local board to regulate hours of drink sales. Requires State Board to revoke or suspend state license if: licensee violates any provisions of Article or rules or regulations; licensee has beer or wine license revoked; licensee fails to superintendent premises; dining room does not receive "A" rating by State Board of Health; or conditions change so licensee would be ineligible for license as original matter. Suspension or revocation shall occur only with hearing on at least 10 days notice; resulting decision may be appealed under

GS Ch. 143. Provides means for effecting surrender of revoked or suspended license. Provides that suspension or revocation of state license shall suspend or revoke other licenses under Article. Forbids selling or giving alcoholic beverage to any minor. Permits qualified possession of beer and wine permit along with license provided by Article. Makes provisions for necessary inspection of involved premises by appropriate authorities. Makes violation of any provision of Article, or rule or regulation adopted under it, misdemeanor punishable by fine or imprisonment or both in discretion of court. Upon any such conviction, license shall be revoked for at least three years, and on conviction of selling alcoholic beverage or intoxicating liquors not authorized under Article license shall be forfeited in addition to other punishment imposed by law.] To Propositions and Grievances.

LOCAL BILLS INTRODUCED -- SENATE

SB 178 - (Onslow) Introduced by Ellis
"To amend G.S. 153-9(43) so as to authorize the Board of County Commissioners of Onslow County to levy a special tax for the purpose of paying the salaries and other expenses of the offices of county accountant, farm demonstration agent, home demonstration agent and veterans service officer." [Adds Onslow to list of counties subject to GS 153-9(43), which authorizes special tax levy for purposes indicated by title.] To Finance.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 146 - Drugged driving prohibition. Reported favorably.
SB 147 - Rear view mirrors. Reported favorably.
HB 74 - Epilepsy not bar to marriage. (House committee substitute 3/24). Received from House; sent to Judiciary 1.
HB 191 - Surplus fund investment. Received from House; sent to Finance.
HB 192 - Epileptic sterilization repeal. Received from House; sent to Judiciary 1.
HB 223 - Construing charitable trusts. Passed second and third readings.
HB 287 - Omnibus board ed. appointment, as amended in House 3/23. Reported favorably as amended. Three committee amendments adopted making technical changes, adding names, changing terms and adding Randolph County to list of counties covered by act. Passed second and third readings.
HB 289 - Motorcycle definition. Reported favorably.
HB 290 - Drivers license surrender, as amended in House 3/24 and 3/28. Received from House; sent to Highway Safety.

LOCAL BILLS

HB 65 - (Stanly) County court juror pay. Passed.
HB 218 - (Lee) Courthouse Annex use. Passed.
HB 219 - (Lee) Drawing additional jurors. Passed.
HB 232 - (Hoke) Drawing jurors. Passed.
HB 239 - (Alamance) Court costs. Passed.
HB 295 - (Johnston) Pistol permits. Passed.

Next session of Senate: 11:45 a.m., Thursday, March 30, 1967; Joint Session at 12 noon to hear address by Governor.

BULLETIN NO. 36
Wednesday, March 29, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 363 - Introduced by Ervin and Vaughn
"To amend G.S. 15-222 so as to clarify the procedure for review of post-conviction proceedings by certiorari." [Amends cited section to specify that review by Supreme Court of Superior Court judgment in post-conviction proceeding may be sought by petitioner or by the State (section now does not specify who may seek review). Adds to cited section provisions that petitioner seeking review may apply to judge hearing the proceeding or to any judge having jurisdiction for appointment of appeals counsel, and judge shall appoint such counsel if satisfied petitioner cannot employ counsel; where State seeks review, court to appoint counsel for indigent petitioner unless waived, to be compensated by State in accord with GS 15-5 (fees for assigned counsel for indigents); judge to order county to make available to petitioner the records, including transcript, required for effective Supreme Court review on certiorari, if judge is satisfied petitioner cannot procure such records. Provides that effective October 1, 1967, Court of Appeals shall be substituted for Supreme Court as forum for review of Superior Court judgments in post-conviction proceedings.] To Courts and Judicial Districts.

HB 364 - Introduced by Clark of New Hanover and others
"To amend G.S. 113-152 and G.S. 113-154, so as to exempt from licensing requirements of persons and vessels taking oysters and clams for their personal use." [Amends GS 113-154(b) to prohibit taking oysters or clams "for commercial use" (adds quoted words) without a license. Adds to GS 113-152(a) provisions that section shall not require licensing of vessel used solely for oystering or clamming by person not required by GS 113-154 to be licensed, and that spears or gigs shall not be deemed to be commercial fishing equipment unless used for commercial fishing. Adds to GS 113-152 a subsection providing that no person exempt from oyster and clam licenses under section may take more than one bushel of oysters and clams in the aggregate on one day.] To Commercial Fisheries and Oyster Industry.

HB 367 - Introduced by Falls and others
"Relating to the the time of holding elections by the North Carolina Cotton Promotion Association, Inc., under the provisions of Article 50 of Chapter 106 of the General Statutes." [Amends GS 106-559 (establishing basis and eligibility for farm referendums) to provide that North Carolina Cotton Promotion Association, Inc., shall hold a referendum in 1967 for the years 1969 and 1970, and either triennially or sexennially thereafter. Identical with SB 181.] To Elections and Election Laws.

HB 377 - Introduced by Eagles
"To divide North Carolina into Congressional Districts." [Rewrites GS 163-103 (establishing US Congressional Districts) to redistrict for purpose of nominating and electing NC Representatives to US Congress in 1968 and every two years thereafter. Provides for one Representative from each of eleven Congressional Districts as follows:

District 1: Beaufort, Bertie, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton , Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell and Washington.
District 2: Edgecombe, Franklin, Granville, Greene, Halifax, Lenoir, Nash, Vance, Warren and Wilson.
District 3: Bladen, Duplin, Harnett, Johnston, Onslow, Pender, Sampson and Wayne.

District 4 : Chatham, Durham, Lee, Orange, Person, and Wake.
District 5: Alamance Caswell, Guilford and Randolph.
District 6: Alleghany, Davidson, Forsyth, Rockingham, Stokes and Surry.
District 7: Brunswick, Columbus, Cumberland, Hoke, New Hanover, Robeson and Scotland.
District 8: Anson, Mecklenburg, Moore, Richmond and Union.
District 9: Alexander, Ashe, Avery, Cabarrus, Caldwell, Davie, Montgomery, Rowan, Stanley, Watauga, Wilkes and Yadkin.
District 10: Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln.
District 11: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania and Yancey.
Present law (GS 163-103 as amended in 1966) to remain in force until Jan., 1969 to govern filling of any vacancy occuring in term of office which ends in Jan., 1969.] To Congressional Districts.

HB 378 - Introduced by Chase
"To create the North Carolina Arts Council." [Identical with SB 176, digested in the Senate section of today's bulletin.] To State Government.

LOCAL BILLS INTRODUCED -- HOUSE

HB 365 - (Lincoln) Introduced by Leatherman
"To amend G.S. 153-10.1 as the same appears in the 1965 supplement to Volume 3C of the General Statutes of North Carolina, so as to add Lincoln County to the counties wherein the boards of county commissioners are authorized to promulgate rules and regulations governing the removal and disposal of garbage and trash." [Adds Lincoln to list of counties to which GS 153-10.1 applies (authorizes board of comm'rs to pass ordinances and rules governing removal, disposal and dumping of garbage and trash within rural areas outside corporate limits of any municipality with violation punishable as misdemeanor). Act not to affect power of county under GS 153-272 (authorizes board of comm'rs to license and otherwise regulate collection and disposal of garbage by private persons or firms outside corporate limits of municipalities).] To Counties, Cities and Towns.

HB 366 - (Macon) Introduced by McGlamery
"To establish a term of office of four years for the superintendent of schools of the Macon County administrative unit." [Provides that at meeting held on first Monday in April, 1967, or as soon thereafter as practicable and quadrennially thereafter during month of April, board of education of Macon County shall elect county superindendent of schools to a four year term in accord with statutory procedures under GS 115-39 (general law provides for 2-year term).] To Education.

HB 368 - Introduced by Isaac
"Relating to the powers, duties, and compensation of certain officials of Avery County." [Provides for election of county accountant for 4-year term, beginning with 1968 regular biennial election; term of initial elected accountant to begin 1st Monday in Dec., 1968, and term of predecessor to then terminate; accountant to perform duties of county accountant, auditor and purchasing agent, but not any duties of tax supervisor (who shall be a separate officer, appointed as provided by general law); county comm'rs not to be empowered to impose duties of tax supervisor on accountant; accountant and tax supervisor to receive annual salaries as fixed by county comm'rs, of not over $6,000 and $4,800, respectively. Authorizes county comm'rs to spend not over $150 per month each to provide clerical assistance to clerk of superior court and register of deeds; not over $1,800 annual total to provide clerical assistance to county accountant and tax supervisor; and not over $500 annually for clerical assistance for tax

collector. Authorizes county comm'rs to fix salary of sheriff at not over $7,200 annually, chief deputy at not over $4,800, and assistant chief deputy at not over $2,400; sheriff's office to have total monthly travel allowance, as fixed by county comm'rs, of not over $200 monthly, with 8¢ per mile allowance outside county and in-county allowance now in effect; county law enforcement officers to be attired in uniform prescribed by county comm'rs at all times while engaged in official duties; county comm'rs authorized to determine from time to time whether sheriff and deputies shall be compensated on salary or fee basis, or combination, and to fix fees of sheriff and deputies and their disposition (whether in whole or in part in county general fund). Provides that no salary, compensation or travel allowance of any county official or employee at effective date of Act shall be reduced during his term of office below the level being paid at such date, and that no salary of any county officer elected after effective date of Act shall be reduced during his term by more than 25% of salary of preceding incumbent.] To Local Government.

HB 369 - (Duplin) Introduced by Johnson

"To amend Article 6A of Chapter 153 of the General Statutes relating to the salaries of appointive and elective officials and employees, so as to make the same applicable to Duplin County." [Adds Duplin to list of counties to which GS 153-48.1 - GS 153-48.5 is applicable (empowers county commissioners to fix number of salaried deputies, clerks,assistants and other employees of clerk of superior court, register of deeds, sheriff, and other offices of county and to fix their compensation). Effective beginning "the year ending January 31, 1967, and thereafter ".] To Local Government.

HB 370 - (Duplin) Introduced by Johnson

"To amend G.S. 153-9(43), relating to tax levies for certain purposes, so as to make it applicable to Duplin County." [Adds Duplin to list of counties enabled to tax under cited section for special purpose of paying salaries and expenses of accountant, farm and home demonstration agents and veteran's service officer.] To Local Government.

HB 371 - (Duplin) Introduced by Johnston

"To authorize the Board of County Commissioners of Duplin County to expend surplus general funds and non-tax revenue funds for flood control project on the Northeast River." [As title indicates; authorizes county commissioners to enter into contracts and agreements with federal government in expenditure of cited funds.] To Local Government.

HB 372 - (Duplin) Introduced by Johnson

"To authorize the Board of Commissioners of Duplin County to expend surplus general funds for the construction of a county welfare building." [As title indicates.] To Local Government.

HB 373 - (Duplin) Introduced by Johnson

"To fix the sheriff's and commissioners' fees for laying off homestead in Duplin County." [Provides for sheriff to receive fee of $2.50 for each defendant for laying off homestead, and each comm'r to receive fee of $5.00 for his duties in laying off homestead.] To Local Government.

HB 374 - (Duplin) Introduced by Johnson

"To amend Chapter 114 of the 1951 Session Laws of North Carolina relating to the sheriff's fees in Duplin County." [Rewrites Sec. 12 of cited Chapter to provide that sheriff's fee for feeding each jail prisoner shall be in discretion of board of county commissioners, retroactive to July 1, 1966, such fee to be paid to sheriff from county general fund and taxed to prisoner in bill of cost (now, fee fixed by comm'rs within range of $1.00 to $1.25 per day per prisoner.)] To Local Government.

HB 375 - (Duplin) Introduced by Johnson
"To increase the probate fee of the clerk of superior court in Duplin County". [Provides for 50¢ fee for Duplin Superior Court Clerk for probate of deeds or other writing, proved by witness, including certificate. Effective July 1, 1967.] To Courts and Judicial Districts.

HB 376 - (Franklin) Introduced by Speed
"To amend Chapter 289, Session Laws of 1957, relating to compensation of members of the Franklin County Board of Education." [Amends SL 1957, Ch. 289 to authorize county board of education to set per diem compensation of each member of Board at not to exceed $15 (now, $10).] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 37 - Ethyl alcohol testing, as amended in Senate 3/15. Passed second reading.
SB 98 - Produce handler bonds. Received from Senate; sent to Agriculture.

HB 7 - Trout fishing licenses. (Senate Committee substitute 3/27). Re-referred to Wildlife Resources.
HB 45 - Personalized license plate. House Committee substitute adopted to set fee for personalized registration plates for owners of private passenger motor vehicles at $10 (original bill, $5) in addition to regular motor vehicle registration fee. Revenue derived from additional personalized plate registration to be placed in separate fund designated "Personalized Registration Plate Fund" (original bill "Highway Beautification Fund") which, after certain expense deductions, is to be transferred one-half to Department of Conservation and Development to aid promotion of travel and industrial development, and one-half to State Highway Commission for beautification of highways other than interstate (original bill provides all Fund money to go to SHC for highway beautification). SHC to administer funds at the direction of a "Highway Beautification Board" unless its recommendations are inconsistent with good landscaping and engineering principles. Board to consist of eleven members appointed by Governor, one from each Congressional district, and four members appointed by Garden Clubs of North Carolina, Inc., all members to serve four years (original bill provides Board to consist of five members appointed by Governor and six members appointed by GCNC). Committee substitute amended to provide that Highway Beautification Board shall consist of one member appointed by Governor from each Congressional district and four members appointed by Garden Clubs of North Carolina, Inc..
HB 166 - Spouse testimony privilege, as amended in Senate 3/24 and 3/28. Received for concurrence in Senate amendments; concurred.
HB 175 - Sea turtle protection. Reported favorably as amended.
HB 199 - Sanitary scallops. Reported favorably; re-referred to Appropriations.
HB 212 - Provisional licensee hearing. Reported favorably as amended.
HB 242 - Continue Wright School. Passed second and third readings.
HB 277 - Red Cross permanent plates. Reported favorably as amended.
HB 334 - 10¢ Alcoholic rehab. II. Re-referred to Finance.
HB 335 - Western Carolina Center. Passed second and third readings.
HB 345 - Highway Comm'n meetings. Reported favorably.

LOCAL BILLS

SB 105 - (Onslow) Plumbing inspector. Passed.
SB 113 - (Orange) Hillsborough Comm'rs. Passed.

SB 144 - (Randolph) Corporate limit extension. Received from Senate; sent to Counties, Cities and Towns.

HB 137 - (Cabarrus) Medical examiner. Passed.
HB 222 - (Cumberland) Fayetteville beer and wine. Floor amendment adopted to amend SL 1957, Ch. 1455, Sec. 8, to prohibit sale of beer and wine within three miles of center of Methodist College measured from campus bell tower. Excepts from amended Sec. 8 provisions, areas within Fayetteville as of Jan. 1, 1967 and prohibits any other agency from permitting sale of any alcoholic beverage within 3-mile College area. Original bill permitted sale of beer and wine in areas annexed by City after Jan. 12, 1957 (current law restricts to corporate limits as of Jan. 12, 1957). Re-referred to Propositions and Grievances.
HB 267 - (Dare) Nags Head election filing. Passed.
HB 284 - (Lee) Broadway salaries. Passed.
HB 293 - (Pender) Auditor appointment. Passed.
HB 300 - (Sampson) Drunkenness punishment. Passed.
HB 301 - (Wilson) Deputy tax collectors. Passed.
HB 302 - (Wilson) Deputy sheriffs. Passed.
HB 303 - (Wilson) Alcoholic beverage funds. Passed.
HB 327 - (Beaufort) Tax listing. Passed.
HB 330 - (Mecklenburg) Courthouse definition. Passed.
HB 331 - (Mecklenburg) Charlotte firemen retirement. Passed.

The following unnumbered House Resolutions were introduced:

Introduced by Ramsey of Madison and Greenwood

"Memorializing the Veterans Administration not to discontinue a nursing care unit at the Veterans Administration Hospital at Oteen in Buncombe County." [As title indicates. Sec'y of State to transmit certified copies of resolution to President of US, Veterans Administration, Governor and NC delegation in Congress.] To Rules.

Introduced by Clark of New Hanover

"To request the Governor to provide the members of the General Assembly with certain information concerning the North Carolina Railroad Company, Inc., and the Atlantic and North Carolina Railroad Company, two railroad companies owned primarily by the people of the State of North Carolina." [Requests Governor, prior to 6th week of each General Assembly, to provide specified information concerning property, employee and officer compensation, and articles of incorporation, bylaws and regulations of State-owned railroads.] To State Government.

BILLS RATIFIED

SB 42 - Court of Appeals. (Senate Committee substitute 3/16). [Ch. 108]

HB 36 - (New Hanover) Steel traps prohibition. [Ch. 109]
HB 91 - (Halifax) Community hospital tax. [Ch. 110]
HB 179 - (Person) Watershed tax. [Ch. 111]
HB 238 - (Catawba) Newton charter revision. [Ch. 112]
HR 347 - (Joint Resolution) Memorializing LeGrand. [R 31]

Next session of House: 11:45 a.m., Thursday, March 30, 1967.

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BULLETIN NO. 37

Thursday, March 30, 1967

Session: Senate -- 11:45 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 183 - Introduced by Scott
"To make technical revisions to Chapters 105, 119, 18 and 53A of the General Statutes pertaining to the Revenue Laws of North Carolina." [Identical with HB 379, digested in the House section of today's bulletin.] To Finance.

SB 184 - Introduced by Whitehurst
"To authorize the State Board of Health to regulate sanitary aspects of harvesting, processing, and handling scallops." [Amends Ch. 130 of General Statutes by redesignating Art. 14B (Swimming Pools) as Art. 14C and inserting a new Art. 14B entitled "Sanitation of Scallops", and providing as follows: Authorizes State Board of Health to make and enforce regulations concerning sanitary aspects of harvesting, processing and handling scallops. Board may issue and revoke permits, regulate or restrict activities relating to sanitation of scallops and exercise all other powers granted within Ch. 130 pertaining to scallops. Authorizes Board of Health and Department of Conservation and Development to enter agreement respecting duties and responsibilities of each agency as to harvesting, processing, and handling scallops. Act does not deprive Department of Conservation and Development of authority to regulate aspects of treating scallops relating to conservation of fisheries resources in State, nor deprive Board of Health of authority as to sanitation generally or as to control of harvesting, processing and handling of other foods. Appropriates $23,472.00 from General Fund to Board for 1967-69 biennium to implement act. Persons have four months to comply with regulations adopted by Board from and after date such regulations are first adopted. Persons beginning regulated activity after regulations are adopted must comply immediately. Identical with HB 199, digested in Bulletin No. 21. Effective July 1, 1967.] To Conservation and Development.

SB 185 - Introduced by Kemp
"To amend Article 3 of Chapter 105 of the General Statutes to make the due date for corporation franchise tax returns coincide with the due date of corporation income tax returns and to make certain other changes in the corporation franchise tax laws." [Identical with HB 383, digested in the House section of today's bulletin.] To Finance.

SB 187 - Introduced by Rauch
"To amend Article 2 of Chapter 20 to provide for suspension of operator's license of provisional licensee for dropping out of school." [Adds new GS 20-13.1 which provides that after July 1, 1967 operator's license of any provisional licensee (any licensee not yet age 18) be suspended by

Department of Motor Vehicles (DMV) upon notice to DMV that such licensee not having graduated highschool has dropped out of school and is not currently enrolled in trade or vocational school approved by State Board of Education. Operator's license not to be reinstated until licensee has attained age of 18, unless (1) licensee has re-entered a school approved by Board, or (2) local school board certifies extenuating circumstances to Commissioner of DMV or certifies that in its opinion licensee is not capable of obtaining higher academic level and that there is no purpose for licensee to attend school.] To Public Roads.

SR 189 - (Joint Resolution) Introduced by White of Lenoir
"Honoring the memory of Fitzhugh Ernest Wallace, Sr., former member of the General Assembly from Lenoir County." [As title indicates.] Passed three readings; sent to House.

SB 190 - Introduced by Warren and others
"To appropriate funds for the operation of the Court of Appeals." [Appropriates to Judicial Department from General Fund $365,833 for fiscal year 1967-68 and $427,470 for year 1968-69 for establishment, equipment, and operation of Court of Appeals.] To Appropriations.

SB 191 - Introduced by Currie
"To appropriate funds to the Department of Mental Health for the operation of the Wright School at Durham, North Carolina." [Appropriates from General Fund to Department of Mental Health, in addition to other appropriations to Department, for operation of Wright School at Durham $78,277 for school year 1967-68 and $145,000 for school year 1968-69.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 186 - (Rockingham) Introduced by Penn
"Amending Article 17 of Chapter 66 relating to closing-out sales so as to make said article applicable to Rockingham County." [Adds Rockingham to list of counties subject to GS Ch.66, Art. 17, requiring licenses for closing-out sales to be obtained from city or town clerk.] To Local Government.

SB 188 - (Henderson) Introduced by Buchanan
"To fix the salaries of the chief deputy and deputy sheriffs of Henderson County, and to authorize the appointment of additional deputy sheriffs, and the purchase of a patrol car for the sheriff's department." [Authorizes Henderson County sheriff to designate a chief deputy sheriff at salary of $500 per month, and appoint five additional deputy sheriffs with salaries of $400 per month. Sheriff also authorized to purchase one additional patrol car to be used in performance of official duties. County comm'rs authorized to pay salaries of chief deputy and deputy sheriffs and to purchase car from general fund of county. Effective July 1, 1967.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SR 92 - (Joint Resolution) Continue Advancement School. Reported favorably. Re-referred to Appropriations.
SB 95 - Continue Wright School. Reported favorably. Placed on calendar 4/5.
SB 104 - Abortion justification. Reported favorably as to committee substitute. Adds new GS 14-46 (original bill made changes in present abortion sections) permitting the advising, procuring or causing of miscarriage of pregnant woman or abortion when performed by MD licensed to practice in North Carolina if he reasonably establishes substantial risk that continuance

of pregnancy threatens life or greatly impairs health ofmother ("greatly" added to substance of original bill) or substantial risk that child would be born with grave physical or mental defect, or pregnancy resulted from rape (was "statutory or forcible rape" in original bill) and after mother has given written consent for abortion, or if mother is minor or incompetent then written permission from parent, guardian or persons in loco parentis required (consent requirement not included in original bill), and when mother was resident of State at least four months prior to operation (not in original bill), and when operation performed is in hospital licensed by North Carolina Medical Care Commission after written certification by three physicians (original bill, two physicians), one of whom may be doctor performing act, of justifying circumstances has been previously submitted to hospital where performed. Committee substitute amended to require "grave" impairment of mother's health as justification, and that rape to be justification must be reported to law enforcement agency or court official within seven days after alleged rape, and to provide that certificate of justifying circumstances may be submitted within 24 hours after abortion where emergency exists and certificate so states, and that residency requirement is unnecessary in case of emergency where life of mother is in danger, and that four months' residency is to occur "immediately preceding" the operation ("prior to" in original bill). Placed on calendar for April 4.

SB 141 - Dix medical-surgical unit. Reported favorably. Re-referred to Appropriations.
SB 146 - Drugged driving prohibition. Placed on calendar 4/4.
SB 147 - Rear view mirrors. Passed second and third readings.
SB 151 - Montgomery Community College. Reported favorably. Re-referred to Appropriations.
SB 179 - Western Carolina Center. Reported favorably.
SR 189 - (Joint Resolution) Memorializing Wallace. Passed second and third reading.

HB 74 - Epilepsy not bar to marriage. (House committee substitute 3/24). Reported favorably.
HB 192 - Epileptic sterilization repeal. Reported favorably.
HB 242 - Continue Wright School. Received from House; sent to Mental Health. Recalled from Mental Health and placed on calendar 4/5.
HB 264 - Beer sale nuisance. Reported favorably.
HB 283 - Dix hospital renovation. Reported favorably.
HB 289 - Motorcycle definition. Passed second reading and placed on calendar 4/4.
HB 335 - Western Carolina Center. Received from House; sent to Mental Health.

LOCAL BILLS

SB 118 - (Buncombe) Radio & iden. bureau. Passed.
SB 158 - (Montgomery) Biscoe realty sale. Passed.
SB 159 - (Burke) Drexel zoning. Passed.

HB 137 - (Cabarrus) Medical examiner. Received from House; sent to Judiciary 2.
HB 184 - (Guilford) Emergency reserve fund. Passed.
HB 267 - (Dare) Nags Head election filing. Received from House; sent to Local Government.
HB 284 - (Lee) Broadway salaries. Received from House; sent to Salaries and Fees.
HB 293 - (Pender) Auditor appointment. Received from House; sent to Local Government.
HB 300 - (Sampson) Drunkeness punishment. Received from House; sent to Local Government.
HB 301 - (Wilson) Deputy tax collectors. Received from House; sent to Local Government.

HB 302 - (Wilson) Deputy sheriffs. Received from House; sent to Local Government.
HB 303 - (Wilson) Alcoholic beverage funds. Received from House; sent to Local Government.
HB 305 - (Lincoln) Lincolnton police. Passed.
HB 311 - (Forsyth) Kernersville charter amendment. Passed.
HB 327 - (Beaufort) Tax listing. Received from House; sent to Local Government.
HB 330 - (Mecklenburg) Court house definition. Received from House; sent to Local Government.
HB 331 - (Mecklenburg) Charlotte firemen retirement. Received from House; sent to Local Government.
HB 380 - (Columbus) Whiteville school board. Received from House; passed.
HB 397 - (Lee) Sanford school trustee vote. Received from House; passed.

The President announced on 3/29 the re-appointment of Senator White of Lenoir for a 4-year term on the Legislative Building Governing Commission.

BILLS RATIFIED

SB 105 - (Onslow) Plumbing inspector. [Ch. 113]
SB 113 - (Orange) Hillsborough Comm'rs. [Ch. 114]

HB 65 - (Stanly) County court juror pay. [Ch. 115]
HB 166 - Spouse testimony privilege, as amended in Senate 3/24 and 3/28. [Ch. 116]
HB 218 - (Lee) Courthouse Annex use. [Ch. 117]
HB 219 - (Lee) Drawing additional jurors. [Ch. 118]
HB 223 - Construing charitable trusts. [Ch. 119]
HB 232 - (Hoke) Drawing jurors. [Ch. 120]
HB 239 - (Alamance) Court costs. [Ch. 121]
HB 295 - (Johnston) Pistol permits. [Ch. 122]

Next session of Senate: 10:00 a.m., Friday, March 31, 1967.

#

BULLETIN NO. 37
Thursday, March 30, 1967

Session: House -- 11:45 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 379 - Introduced by Eagles by request

"To make technical revisions to Chapters 105, 119, 18 and 53A of the General Statutes pertaining to the Revenue Laws of North Carolina." [Makes detailed revisions in various State revenue laws including, among other things, the following provisions: Income Tax Laws. Subdivides the income tax laws into three divisions (corporation; individual; and estates, trusts and beneficiaries.) Principal changes in corporate income tax law include substantial revision of formula used to allocate and apportion to NC income of multistate businesses (adopting substantially the uniform allocation formula proposed by Uniform Laws Commissioners); authorizes Comm'r to require separate accounting where allocation formula allocates income earned in NC to other states; provides that net income or loss to be the same as "taxable income" as defined by US Internal Revenue Code (IRC), which has the effect, among other things, of allowing deduction for 5% depletion for quarrying sand, gravel, etc. as allowed under IRC; allows deduction in computing net income of parent, subsidiary or affiliated corporations for interest payments not in excess of 6% on intercompany transactions; excludes from taxable income gains realized on sale of property in liquidation under IRC § 37, to extent gains distributed to stockholders whose income is taxed by NC; provides for taxation of regulated investment companies and real estate investment trusts only on that part of net income not distributed or declared for distribution during income years, or within 30 days after end of income year (investment companies), or by the time required for filing of income year return (realty investment trust). Principal changes in individual income tax law include: referring to various specific provisions of IRC (rather than rewriting such provisions into NC law); and incorporating provisions substantially same as IRC concerning multiple support agreements and moving expenses. Changes in trusts and estates income tax law involve a complete revision of the law, including method of computation and payment; definitions of distributable net income, net income, taxable income, and beneficiaries; deductions; exempt trusts; tax credits; and grantor trusts.

Inheritance and Gift Tax Laws. Redefines "general power of appointment", providing the same definition as for federal tax purposes. Franchise Tax Law. Changes due date from July 1 to Sept. 30; provides for $10 initial franchise tax on new corporations. Sales and Use Tax Laws. Allows credit for tax paid to another state against tax due NC; permits quarterly rather than monthly reporting for taxpayers consistently reporting less than $5 monthly; prescribes gross negligence penalty of 25% where total tax liability understated by 25% or more. Highway Fuel Use Tax. Allows bond for refund to motor carrier of $500 to $10,000 (now, flat $10,000). Requires distributors of kerosene only to apply for license and file $20,000 bond for payment of tax, subject to misdemeanor penalty ($100 - $5,000 fine, or imprisonment for not more than two years, or both). Business Development Corporations Law. Rewrites provisions for computing deductions from entire net income.

Makes conforming amendments in various tax laws and references to tax laws. Provides effective date of Jan. 1, 1967 (and applicable to taxable years beginning on or after that date) for amendments to laws concerning income tax, income tax withholding, declaration of estimate, income tax deductions, and business development corporations. Provides effective date of July 1, 1968 (and returns due on or after that date) for amendments to franchise and intangibles tax laws. Provides effective date of July 1, 1967 for amendments to laws concerning inheritance tax, sales and use tax, gift tax, penalties, intoxicating liquor, gas and oil inspection, and special fuels.

NOTE: Because of the length and complexity of this bill, we are able to provide only a brief and general digest at this time. A full digest may be anticipated at a later date. **Identical with SB 183.]** To Finance.

HB 382 - Introduced by Whitley of Stanly

"To appropriate funds for the protection of the Dr. Francis J. Kron Home Site Restoration at Morrow Mountain State Park." [Appropriates from General Fund to Department of Conservation and Development, Division of State Parks, $20,000 for erection of fence around Dr. Francis J. Kron Home Site Restoration at Morrow Mountain State Park.] To Appropriations.

HB 383 - Introduced by Leatherman

"To amend Article 3 of Chapter 105 of the General Statutes to make the due date for corporation franchise tax returns coincide with the due date of corporation income tax returns and to make certain other changes in the corporation franchise tax laws." [(1) Amends GS 105-114 (definition of franchise tax) to provide that taxes levied in GS 105-122 (franchise or privilege tax on domestic and foreign corporations) and GS 105-123 (franchise or privilege tax on domestic or foreign corporation commencing business in State) shall be for income year of corporation in which such taxes become due, with 'income year' defined as in GS 105-132 (calendar year or fiscal year on basis of which income is computed) (now, franchise tax is levied for fiscal year of State in which tax becomes due). (2) Amends GS 105-122(a) to provide that corporate franchise tax report shall be filed before fifteenth day of the third month following end of its income year (now, before July 31) to cover its operations in such income year (now, its last calendar or fiscal year next preceding July 31 of year in which report due). Modifies form of affirmation to be annexed to return. (3) Deletes provision of GS 105-122(b) that in determining total amount of capital stock, surplus and undivided profits, effect shall be given to final court judgment approving corporate reorganization entered prior to July first of any calendar year and since the close of corporation's last calendar or fiscal year next preceding. (4) Amends GS 105-122(d) to provide that after determining proportion of its total capital stock, surplus and undivided profits, under prescribed formula, which amount shall not be less than the total assessed value of all real and personal property in State "as herein specified" (now, "for the year in which report is due") nor less than its total annual investment in tangible property in State, corporation shall pay annual franchise tax at prescribed rate at time of filing report. (5) Amends GS 105-122(d) to provide that basis for franchise tax on corporations, 80% of whose outstanding capital stock is owned by persons or corporations to whom issued prior to January 1, 1935, etc. shall be the total assessed value of real and tangible personal property of such corporation in State for the calendar year next preceding date on which report and statement due (now, year in which report is due). (6) Adds to GS 105-122(d) provisions defining "assessed value of tangible property including real estate "as assessed ad valorem value for calendar year next preceding due date of return; defining "Assessed value of intangible property, except for bank deposits subject to tax under the provisions of § 105-199" as total gross valuation required to be reported for intangible tax purposes on April 15 coincident with or next preceding due date of return; defining "Assessed value of bank deposits subject to tax under the provisions of § 105-199" as average balance determined under such section for calendar year next preceding due date of return.

(7) Amends GS 105-122 (d) to provide that in determining total tax payable by corporation under this section credit shall be allowable for intangible tax paid on bank deposits under GS 105-199 to extent that deposits have been concurrently included in alternative assessed value tax base pursuant to GS 105-122 (d), except that minimum tax shall not be less than $10; and in determining total tax payable by any corporation under GS 105-115 credit shall be allowed for intangible tax paid during preceding franchise tax year on bank deposits under GS 105-199 (now, in determining total tax payable by any corporation under this section and under GS 105-115 a credit shall be allowable for amount of intangible tax paid during preceding franchise tax year on bank deposits under GS 105-199, except that minimum tax shall not be less than $10). (8) Adds new subsection GS 105-122 (e) to provide that any corporation which changes its income year and files a "short period" income tax return pursuant to GS 105-142 shall file franchise tax return in accordance with this section in manner and as of date specified in GS 105-122 (a), and may deduct from total franchise tax computed on an annual basis, the amount of franchise tax previously paid and applicable to period subsequent to beginning of new income year. (9) Adds new subsection GS 105-122 (h) to provide that any corporation whose franchise tax return is due July 15, 1968, shall be allowed a credit from total net franchise tax computed of two twelfths of total net franchise tax computed, and for those whose return is due August 15, 1968 the allowable credit shall be one twelfth. Taxes levied under GS 105-122 and GS 105-123 for State fiscal year 1967-68 shall be for that period and for period beginning July 1, 1968, and ending on last day of each corporation's then current income year provided income tax return for such current income year is due before July 15, 1969. (10) Sets period for computation under GS 105-123 of franchise tax on "new" corporations as the period from date of incorporation or domestication through last day of then current income year, but in no case longer than 53 weeks (now, period from date of incorporation or domestication to June 30, next following). (11) Amends GS 105-123 to provide that a "new" corporation which shall acquire the entire assets within State of corporation previously operating therein which shall have paid prior to disposal of said assets the franchise tax for such period of portion thereof (now, for the taxable year), the new corporation may deduct from tax payable under this section so much of tax previously paid as applies to such period (now, deduction is for that portion of the capital stock, surplus, and undivided profits, or other alternative tax base as provided in GS 105-122 (d), of the prior corporation previously reported and taxed in taxable year in determining tax for balance of year upon such newly organized or domesticated corporation). (12) Effective July 1, 1968. Identical with SB 185.] To Finance.

HB 384 - Introduced by Tate

"To change name of Appalachian State Teachers College to Appalachian State College" [As title indicates. Adds to GS 116-45.1 (relating to name of Elizabeth City State College) name change provision.] To Higher Education.

HB 386 - Introduced by Vaughn and others

"To appropriate funds for the operation of the Court of Appeals." [Identical with SB 190, digested in the Senate section of today's bulletin.] To Appropriations.

HB 390 - Introduced by Hamrick

"To amend G.S. 20-166 (b) (hit and run - property damage only) to clarify the provisions for punishment contained therein." [Limits imprisonment for hit and run - property damage only, to two years.] To Judiciary 1.

HB 391 - Introduced by Hamrick
"To amend G. S. 20-141.3(c) (owner permitting use of vehicle in unlawful racing) to clarify the provisions for punishment contained therein." [Limits imprisonment for owner permitting use of vehicle in unlawful racing, to two years.] To Judiciary 1.

HB 392 - Introduced by Hamrick
"To amend G. S. 20-28 (driving while license revoked or suspended) to clarify the provisions for punishment contained therein." [Limits imprisonment for driving while license revoked or suspended, to two years.] To Judiciary 1.

HB 393 - Introduced by Hamrick
"To amend G. S. 20-141.1 (speeding in school zone) to clarify the privisions for punishment therein." [Limits imprisonment for speeding in rural school speed zone, to two years.] To Judiciary 1.

HB 394 - Introduced by Hamrick
"To amend G. S. 20-179 (drunk driving - third offense) to clarify the provisions for punishment contained therein." [Limits imprisonment for drunk driving-third offense, to two years.] To Judiciary 1.

HB 395 - Introduced by Hamrick
"To amend G. S. 20-109 (destroying, altering vehicle identification numbers) to clarify the provisions for punishment contained therein" [Limits imprisonment for destroying or altering vehicle identification numbers, to two years.] To Judiciary 1.

HB 399 - Introduced by Hofler and others
"To appropriate funds to the Department of Mental Health for the operation of the Wright School at Durham, North Carolina." [Identical with SB 191 digested in Senate section of today's bulletin.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 380 - (Columbus) Introduced by Collier and Williamson
"Increasing the number of members and appointing the members of the Board of Education of the Whiteville City School Administrative Unit." [Sets membership of Board of Education of Whiteville City School Administrative Unit at nine, with 2-year terms beginning on first Mon. in April, 1967. Board members to be: Dr. W. E. Baldwin, Lawrence Bowers, Ben H. Gilliam, Sankey Robinson, C. Bion Sears, E. L. White, Jr., Robert Wooten, J. B. Davis and Billy Hooks.] Passed three readings; sent to Senate.

HB 381 - (Columbus) Introduced by Collier and Williamson
"Increasing the compensation of members of the board of education of Columbus County." [Amends SL 1965, Ch. 1060, Sec. 3 to provide $20 per day (now, $15) compensation for school board members while engaged in county business.] To Education.

HB 385 - (Buncombe) Introduced by Hutchins
"Authorizing qualified voters residing outside the City of Asheville and who pay water bills to said city with members of their household to vote on issues concerning water or the treatment thereof." [Requires that if Asheville holds referendum or election concerning its water supply or treatment of its water by any chemical, city shall provide for registration of all qualified voters "and members of their household" living outside city but paying water bills to city, and that "such electors" shall be entitled to vote in such elections or referendums To Counties, Cities and Towns.

HB 387 - (Catawba) Introduced by Poovey

"To amend Chapter 160 of the General Statutes relating to municipal corporations, so as to exclude Catawba County from the provisions of Part 2 and Part 3 of the Article providing for the extension of corporate limits." [Adds Catawba to list of counties excluded from operation of GS 160-453.1 - GS 160-453.11 (providing for annexation by municipalities of less than 5,000 population without referendum) and GS 160-453.13 - GS 160-453.23 (providing for annexation by municipalities of 5,000 population or more, without referendum). Effective October 1, 1967.] To Counties, Cities and Towns.

HB 388 - (Yadkin) Introduced by Haynes

"To appoint certain members of the Board of Education of Yadkin County and to fix terms of office." [Appoints Odell Groce of Booneville and Mary Jo Zachery to two and four year terms, respectively, on school board. Appointees to qualify by taking oath within 30 days after effective date of Act and to serve until first Mon. in April 1969 and 1971, respectively. Appointees, together with continuing board members and any other appointees of 1967 legislature to constitute school board.] To Education.

HB 389 - (Wilkes) Introduced by Billings

"To appoint certain members of the Board of Education of Wilkes County and to fix their terms of office." [Appoints John Wesley Bryan, Jr., and Fred Myers to six and four year terms, respectively, on school board. Appointees to qualify by taking oath within 30 days after effective date of Act and to serve until first Mon. in April, 1973 and 1971, respectively. Appointees, together with continuing Board members and any other appointees of 1967 legislature to constitute school board.] To Education.

HB 396 - (Carteret) Introduced by Taylor, Sugg, and Godwin

"To amend Chapter 1291, Session Laws of North Carolina, 1957, being the Charter of the Town of Emerald Isle relating to the number of commissioners." [Amends cited charter to provide that governing body of town shall consist of mayor and five commissioners to be elected "as hereinafter provided" beginning with regular municipal election to be held in July 1967 and biennially thereafter (now, designates individuals to serve as mayor and three commissioners). Conforms other section of charter to increased number of commissioners.] Placed on calendar for 3/31.

HB 397 - (Lee) Introduced by Love

"To repeal Chapter 513 of the Session Laws of 1951, and to provide for the election of members of the Board of Trustees of the Sanford Graded School District." [Repeals cited chapter (appointing two additional trustees for Sanford Graded School District). Provides that district bd. of trustees shall consist of seven members to serve staggered 6-year terms with present members to hold office until terms expire in accordance with previous elections. Ratifies terms of present members. Provides that regular elections for trustees to be held biennially on second Saturday after first Monday in May beginning in 1967. At 1967 election three trustees to be elected to serve 6-year terms, two more for that term in 1969, and two more in 1971, and thereafter to refill positions as terms expire. Those elected are to be inducted on July 1 following election or, if it falls on Sunday, on the following Monday. Provides form for filing of notice of candidacy to be accompanied by filing fee of $5.00. Provides for county board of elections to conduct all Sanford Graded School District elections. Elections to be held under laws governing general elections in Lee County. Authorizes trustees to reimburse Lee County for actual costs of conducting each election. In conducting such elections board of elections shall use registration books of Lee County and all persons registered in them and live in district are entitled to vote in such elections.] Passed three readings; sent to Senate.

HB 398 - (Nash) Introduced by Barbee and Fenner
"To amend Chapter 36 of the Private Laws of 1908, Extra Session, and Chapter 770 of the Session Laws of 1963, to provide four year terms for officials of the Town of Bailey." [Amends cited acts to provide that mayor and five commissioners shall constitute town governing body. At an election on Tuesday after first Monday in May, 1967 and quadrennially thereafter mayor and three commissioners shall be elected to four year terms and on Tuesday after first Monday in May, 1969 and quadrennially thereafter two commissioners shall be elected to four year terms (now, annual elections are provided with commissioners elected to two year staggered terms and mayor elected to two year term.) Any vacancy in office of mayor or commissioners is to be filled by board of commissioners for unexpired term (new). Term of office of board member or members elected in 1966 is extended until filled at regular 1969 election and board is authorized to fill by appointment any existing vacancy among members thereof elected in 1966 with such appointee to serve until office filled at 1969 regular election. Notice heretofore given of 1967 regular election is validated and no further notice of such election shall be necessary.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 37 - Ethyl alcohol testing, as amended in Senate 3/15. Passed third reading.
SR 189 - (Joint Resolution) Memorializing Wallace. Received from Senate; passed second and third readings.

HB 7 - Trout fishing licenses. (Senate Committee substitute 3/27). Reported favorably; passed second and third readings.
HB 45 - Personalized license plate. (House Committee substitute 3/29). Amendment to committee substitute adopted to provide that Highway Beautification Board shall consist of one member appointed by Governor from each Congressional district and four members appointed by Garden Club of North Carolina, Inc.. Passed second and third readings.
HB 59 - Eighteen yr. old felons. Reported unfavorably.
HB 98 - Wills revocation, as amended in Senate 3/24. Concurred in Senate amendment.
HB 175 - Sea Turtle protection. Amended to require that prohibited taking, disturbing or destroying of any sea turtles or their nests or eggs must be willful; specifies that green, hawksbill, loggerhead and leatherback turtles are among protected species. Passed second and third readings.
HB 197 - Indexing deeds of trust Reported favorably.
HB 212 - Provisional licensee hearing. Amended to provide opportunity for hearing after suspension of provisional license upon request of licensee's parent or guardian or someone standing in loco parentis to child (original bill, upon licensee's request). Passed second and third readings.
HB 277 - Red Cross permanent plates. Amended to specify issuance of permanent plates to Red Cross for all disaster vans, blood mobiles, handivans and such sedans and station wagons used for emergency or disaster work. Passed second reading.
HB 287 - Omnibus board ed. appointment, as amended in House 3/23 and in Senate 3/29. Received for concurrence in four Senate amendments; concurred.
HB 345 - Highway Comm'n meetings. Passed second and third readings.
HB 351 - Superior court trial of minors; reported unfavorably.

LOCAL BILLS

SB 137 - (Robeson) County commissioners' salaries. Passed.
SB 150 - (Robeson) County commissioner addition. Passed.
SB 154 - (Guilford) Temporary county buildings. Passed.

HB 257 - (Catawba) Hickory planning commission. Amended to make technical correction. Passed.
HB 266 - (Cleveland) Jail law repeal. Passed.
HB 270 - (Bladen) County commissioners elections. Passed.
HB 271 - (Bladen) White Lake elections. Postponed to 4/6.
HB 291 - (Pender) Black River deer. Passed.
HB 292 - (Pender) Deer preservation. Passed.
HB 294 - (Pender) Motor boat safety. Passed.
HB 309 - (Richmond) Rockingham council manager. Passed.
HB 341 - (Sampson) Dog kennel tax. Passed third reading.
HB 380 - (Columbus) Whiteville school board. Passed.
HB 397 - (Lee) Sanford school trustee vote. Passed.

Next session of House: 10:00 a.m., Friday, March 31, 1967.

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SUMMARY OF HIGHER EDUCATION MESSAGE OF THE GOVERNOR

Delivered at a Joint Session of the General Assembly of North Carolina at 12:00 noon, March 30, 1967.

Governor Dan K. Moore today presented to the General Assembly his views on this subject in a 19-page special message. Principal topics covered were: the Board of Higher Education, and its iterim report on a long-range plan for higher education; North Carolina College Law School; the UNC Trustee Study Commission; and East Carolina College, within the context of the higher education system and the one-university concept.

Governor Moore's principal recommendations and observations included the following:

Board of Higher Education (BHE): No major changes should be made in our system of higher education until completion of the overall BHE study looking toward a long-range plan for higher education in the state (anticipated completion August, 1968). The Board's interim report, presented today, includes the following recommendations --

Tuition: BHE recommends that trustees of institutions raise out-of-state undergraduate annual tuition, beginning in fall 1968, to $500 at 4-year colleges, $600 at 5-year colleges and $700 at the University. Beginning fall 1968, in-state tuition be equalized at all institutions, at $150. (Net overall effect of equalization and increases is $510,000 increased revenue.)

Budget: BHE recommends that the Governor order a re-examination of budgetary procedures for institutions of higher education; Governor is asking Director of Administration to make this study.

Admissions standards: BHE recommends (and Governor concurs) that BHE be granted statutory authority to approve or reject minimum admissions standards at senior colleges.

Traditionally Negro Colleges: BHE recommends (and Governor concurs) a gradual raising of admission standards to parity by 1972; co-ordination of this transition with the expansion of community colleges; and additional State aid to strengthen the Negro colleges ($2.9 million BHE request soon to be made; while commending this request, the Governor stated it should be considered in light of available revenue).

N.C. College Law School: In light of the fact that the BHE has underway a study of legal education to be completed next year, the Governor recommends that funds to allow continued operation of NCC Law School in 1968-69 be restored (previously recommended for deletion).

UNC Trustees Study Commission (Hodges Commission): Because the recommendations of this study commission would constitute a major change in the State's system of higher education, Governor Moore recommends that the report be referred without prejudice to the 1969 General Assembly, in order that it may be evaluated in light of the BHE long range plan.

East Carolina College (ECC): After reviewing the events leading up to the recent BHE-sponsored consultant study of the desirability of elevating ECC to independent university status, and its conclusion that this institution "is not now prepared" to become a university, Governor Moore expressed his agreement with this conclusion. He made clear that, in his judgment, independent university status for ECC would destroy the State's system of higher education and the one university concept. Noting that the route followed by Charlotte College in 1965 of becoming a campus of the University is open to all of the senior colleges, he re-emphasized his judgment that North Carolina cannot afford more than one public university.

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BULLETIN NO. 38

Friday, March 31, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 192 - Introduced by Harrington and others
"To provide for construction and equipping of an additional research laboratory to the biological and agricultural engineering building at North Carolina State University at Raleigh, North Carolina, for agricultural mechanization research." [Identical with HB 410, digested in the House section of today's bulletin.] To Appropriations.

SB 193 - Introduced by Norton and others
"To amend Chapter 163 of the General Statutes of North Carolina so as to require that absentee ballots be certified by a member of the county board of elections as being issued to a registered voter of such county." [Identical with HB 409, digested in the House section of today's bulletin.] To Election Laws and Legislative Representation.

SB 194 - Introduced by Burney
"To amend G.S. 14-90, so as to make embezzlement from any unincorporated association or organization a felony." [Amends GS 14-90 (embezzlement of property received by virtue of office or employment) as title indicates (now, makes embezzlement of funds or valuable security belonging to U.S., any state, any person, or corporation a felony).] To Judiciary 2.

SB 195 - Introduced by Simmons and others
"Appropriating supplementary funds to the N. C. Agricultural Experiment Station for research studies on improving the production and harvesting of sweet potatoes in North Carolina." [Identical with HB 403, digested in the House section of today's bulletin.] To Appropriations.

SB 196 - Introduced by Allsbrook and others
"To amend the laws relating to Civil Procedure." [Identical with HB 401, digested in the House section of today's bulletin.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

SB 197 - (Cleveland) Introduced by White of Cleveland
"To authorize a referendum in the City of Kings Mountain or off-premises sales of beer and wine and alcoholic beverage stores." [Provides that Kings Mountain Board of Comm'rs shall conduct special election in City on questions of permission of off-premises sale of beer and wine and establishment of city ABC stores. All voters registered previously or in registration period for this election (provided for in this act) are eligible to vote.

No new registration to be required. Provides form for ballots. Provides that if voters favor off-premises sales then such sales shall be thereafter lawful in Kings Mountain, and that if voters favor ABC stores, then Bd. of Commr's to create City ABC Board to be composed of chairman to serve for three years and two other members to serve for two and one years, successors to be appointed for terms of three years. ABC Board shall have powers and duties imposed by GS 18-45 (powers and duties of county boards) and subject to power of State Board of Alcoholic Control except that GS 18-45 (15) (specifying amount of profits to be spent for various purposes) and GS 18-39(10) (granting power to approve location and opening of ABC stores,) are not to apply. Provides that city ABC board must spend from 5-10% of net annual revenue for law enforcement (which may include, with approval of city board of comm'rs, employment of city ABC officers), and may spend not over 5% for alcohol education and alcoholic rehabilitation, with remainder of revenues to be paid to city for any authorized city purpose (and city board of comm'rs may give sums to county board of education to supplement expenditures for city schools). Funds may, with approval of city comm'rs, be paid out by ABC board on quarterly basis after sufficient capital has been set aside. Provides that voter denial of off-premises sale is not to prevent application of GS Ch. 18, Art. 11 (elections on question of sale of beer and wine in cities and counties) except that GS 18-124(g) (governing time between such elections) shall not apply. Provides that if voters defeat establishment of ABC stores, then subsequent elections may be held only after one year period following original election and upon petition of registered voters equalling 25% of those voting in last city election. Provides that conduct and follow-up of such subsequent elections to be as prescribed in this Act.] To Propositions and Grievances.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 111 - Driver's license photos. Reported favorably as amended.
SB 179 - Western Carolina Center. Passed second and third readings.

HB 45 - Personalized license plate (House committee substitute 3/29). Received from House; sent to Finance.
HB 74 - Epilepsy not bar to marriage (House committee substitute 3/24). Passed second and third readings.
HB 175 - Sea turtle protection, as amended in House 3/30. Received from House; sent to Conservation and Development.
HB 192 - Epileptic sterilization repeal. Passed second and third readings.
HB 212 - Provisional licensee hearing. Received from House; sent to Public Roads.
HB 264 - Beer sale nuisance. Passed second and third readings. Vote by which passed third reading reconsidered. Third reading postponed to 4/3.
HB 283 - Dix hospital renovation. Passed second and third readings.
HB 345 - Highway Comm'n meetings. Received from House; sent to Public Roads.

LOCAL BILLS

HB 201 - (Craven) Draftsman identification. Passed.
HB 257 - (Catawba) Hickory planning commission. Received from House; sent to Counties, Cities and Towns.
HB 266 - (Cleveland) Jail law repeal. Received from House; sent to Counties, Cities and Towns.
HB 270 - (Bladen) County commissioners election. Received from House; sent to Counties, Cities and Towns.
HB 291 - (Pender) Black River deer. Received from House; sent to Wildlife.

HB 292 - (Pender) Deer preservation. Received from House; sent to Wildlife.
HB 294 - (Pender) Motor boat safety. Received from House; sent to Wildlife.
HB 309 - (Richmond) Rockingham council-manager. Received from House; sent to Counties, Cities and Towns.
HB 341 - (Sampson) Dog kennel tax. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 37 - Ethyl alcohol testing, as amended in Senate 3/15. [Ch. 123]
SB 137 - (Robeson) County commissioners' salaries. [Ch. 124]
SB 150 - (Robeson) County commissioner addition. [Ch. 125]
SB 154 - (Guilford) Temporary county buildings. [Ch. 126]

HB 7 - Trout fishing licenses. (Senate committee substitute 3/27).[Ch. 127]
HB 98 - Wills revocation, as amended in Senate 3/24. [Ch. 128]
HB 184 - (Guilford) Emergency reserve fund. [Ch. 129]
HB 287 - Omnibus board ed appointment, as amended in House 3/23 and in Senate 3/29. [Ch. 130]
HB 305 - (Lincoln) Lincolnton police., [Ch. 131]
HB 311 - (Forsyth) Kernersville charter amendment. [Ch. 132]
HB 380 - (Columbus) Whiteville school board. [Ch. 133]
HB 397 - (Lee) Sanford school trustee vote. [Ch. 134]

Next sessions of Senate: 9:00 a.m., Saturday, April 1, 1967, for consideration of local bills only;
8:00 p.m., Monday, April 3, 1967.

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BULLETIN NO. 38
Friday, March 31, 1967

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 400 - Introduced by Britt and others

"To provide for the marketability of real property in the State of North Carolina." [Adds new GS 47B entitled "Real Property Marketable Title Act" for purpose of simplifying and facilitating real property transactions by allowing persons to rely on record chain of title of 40 years subject to provisions of Act. Provides that any person having legal capacity to own real property in NC, who, alone or together with his predecessors in title, has been vested with any interest in real property of record for 40 years or more, shall have marketable record title thereto. Interest to be determined by public records disclosing title transaction affecting title to property of not less than 40 years record, purporting to create interest in either person claiming such interest or other person from whom claim derived, if in both cases, record free of divesting claims. Marketable record title to be free of all rights, estates, interests,claims or charges arising prior to 40-year period. All claims etc. older than 40 years null and void. Exceptions to 40-year rule are the following rights, estates, interests, claims or charges: (1) disclosed by defects inherent in muniments of title of which 40-year title chain formed if specific identification by reference to book and page of record made, in muniments, to recorded title transaction which imposed, transferred or continued such rights, etc.; (2) preserved by filing prescribed notice; (3) of person in present, actual and open possession of real property so long as possession continues; (4) of person listed as property owner on county tax books of county in which real property located when marketability to be established; (5) of person having clearly observable easement or interest of like nature; (6) of US to extent prohibited by laws of US; (7) created subsequent to beginning of 40-year period. Provides for preservation of claims, etc. otherwise extinguished by Act, by written, acknowledged notice registered within 40-year period with register of deeds office of county in which real property situated. Notice preserves claim for not more than 40 years unless reregistered. Disability not to affect running of 40-year period; notice may be registered by claimant, or one acting on his behalf, who is under disability, unable to assert claim, or one of class whose identity cannot be established or is uncertain at time of filing record notice. Notices to preserve claim etc. must give full, accurate and particular description of property affected; but claim founded on recorded instrument may use same discription as in recorded instrument. Notice to give name of record owner of real property at time notice registered and statement of claim showing nature description and extent of claim. Register of deeds to record all acknowledged and certified notices in same manner as other deeds and instruments and may charge same fees as for recording of deeds. Register to index such notices in grantee indexes under names of persons on whose behalf such notices registered, and in grantor indexes under names of record owners of possessory estates in real property affected and against whom claim preserved at time of registration. Provides that no claim, estate etc. to be barred until Oct. 1, 1970 and that claims, estates etc. which otherwise would be barred prior to 1970 date may be preserved by registering notice prior to that date. Persons found by court to have registered false or fictitious claims may be liable for all costs to prevailing party including attorney's fees and damages sustained as a result of such notice. Act not to affect any statutes of limitations not specifically provided in Act. Includes definition of 'person' and 'title transaction'. Effective Oct. 1, 1967.] To Judiciary 2.

HB 401 - Introduced by Britt of Johnston and others

"To amend the laws relating to civil procedure." [Adds new GS Ch. 1A adopting a comprehensive set of rules of civil procedure for superior and district courts, covering the entire civil process from commencement of actions to judgments and post-judgment procedures. Subjects of new rules include form and commencement of actions (by summons and complaint); service of process, pleadings and preliminary motions; counterclaims, cross claims, and third-party practice; parties to actions; joinder, intervention, interpleader and class actions; depositions and discovery; admissions; trial by jury and by court; calendaring of actions; dismissal of actions; evidence and proof; subpoenas; types of verdicts; referees; judgments; summary judgment; declaratory judgments; post-verdict and post-judgment motions and procedures; injunction procedure; offer and confession of judgment; and illustrative forms.

Adds new Art. 6A to GS Ch. 1, Subch. IIIA, concerning civil jurisdiction of the courts of NC and the manner of its exercise. Specifies grounds of personal jurisdiction (assuming jurisdiction of the subject matter) as including local presence or status of defendant; jurisdiction under special statutes; local acts, omission or injuries; local services, goods or contracts; local property; deficiency judgments on local foreclosures or resales; conduct of officers of domestic corporations; collection of taxes imposed by NC authorities; contracts of insurance, where claim-generating event occurred in NC, or plaintiff was NC resident when event occurred; and actions against personal representatives, where one of previously stated grounds would have given jurisdiction over decedent if living. Specifies grounds of jurisdiction in rem or quasi in rem (assuming jurisdiction of the subject matter) as including cases where subject of action is realty or personalty and defendant has or claims a lien or interest; where action is to foreclose, redeem or satisfy mortgage, claim, lien or trust deed on NC realty or personalty; where action is for divorce or annulment of marriage of NC resident; where defendant has property in NC which has been attached, or has a garnished debtor in NC; and other actions in which (quasi) in rem jurisdiction may constitutionally be exercised. Prescribes procedure and basis for judgments against non-appearing defendants, and for stay of proceedings in NC courts to permit trial in foreign jurisdiction.

Conforms various provisions to new rules, including GS 1-116(c), 1-116.1 and 1-119 (lis pendens); GS 1-139 (pleading and proof of contributory negligency); GS 1-180, 1-180.1, and 1-182 (comments, instructions and explanations of judge to jury in civil and criminal cases); GS 1-209(e) (conforming references to new rules); GS 1-394 and 1-395 (service of summons); GS 1-440.1(b), 1-440.6(a), 1-440.7 and 1-440.14 (attachment proceedings); GS 1-485 (preliminary injunctions); GS 1-498 (extending, vacating and modifying injunctions); GS 1-593 (computation of time); GS 7A-196 (jury trials on demand in district court); GS 8-61 (subpoena duces tecum); GS 9-15 (questioning jurors without challenge); GS 41-11 (service of summons in certain sales of real property); GS 43-9 (summons under land registration statute); GS 50-8 (verification of pleadings in divorce cases); and GS 130-205 (injunction proceedings under public health laws).

Repeals last sentence of GS 1-15, providing that statute of limitations objections and defenses may be raised only by answer (new rules provide procedures for raising of such points.) Adds to GS 1-87 provision preserving rule stated in GS 8-62 (repealed by this act) that aftercause has been directed to be removed from one court to another and prior to depositing of transcript with second court,depositions may be taken and subpoenas issued from either court. Amends GS 1-108 to provide that if judgment is set aside pursuant to new Rule 60(b) or (c), and judgment has been enforced, court may compel restitution. Adds to GS 1-277 provision preserving substance of GS 1-134.1 (repealed by this act) on special appearances. Amends GS 1-393 to make new rules applicable to special proceedings. Amends GS 1-514 to provide that new rules shall supplement quo warranto procedures where incomplete. Amends GS 8-59 to provide for issuance and service of subpoenas in criminal cases in manner provided by new rules.

Adds GS 55-146.1, GS 55A-68.1 and GS 58-153.2 permitting alternative jurisdiction over and service of process on foreign corporations and insurers under new rules as well as under provisions of GS Chapters 55, 55A and 58 (business corporations, non-profit corporations and insurance). Repeals 229 enumerated sections of GS Chapters 1 and 8 (civil procedure and evidence). Effective July 1, 1968 and applicable to actions and proceedings then pending or commenced on and after that date.] To Judiciary 2.

HB 402 - Introduced by Quinn

"To make an emergency appropriation to the Teachers' and State Employees' Retirement System to supply a deficit created by the Congressional increase of social security contributions enacted into law by Congress after the adjournment of the 1965 General Assembly." [Appropriates from General Fund to the Teachers' and State Employees' Retirement System $3,199,677 to meet deficit in payments to federal government caused by Congressional changes in Social Security Act.] To Appropriations.

HB 403 - Introduced by Paschall and others

"Appropriating supplementary funds to the N.C. Agricultural Experiment Station for research studies on improving the production and harvesting of sweet potatoes in North Carolina." [Appropriates from General Fund to Agricultural Experiment Station $78,500 for fiscal year 1967-68 and $59,500 for fiscal year 1968-69 for sweet potato research. Spells out specific amounts available for mechanization research ($70,000 total), handling and quality control ($31,000 total), and breeding ($37,000 total), and proportions under each heading for professional services, equipment, and maintenance and operation. Effective July 1, 1967. Identical with SB 195.] To Agriculture.

HB 406 - Introduced by Pickard

"To provide for mutual aid between municipalities in restoring utility services in event of emergencies."[Adds new GS 160-257.1 permitting governing bodies of any two or more municipalities to enter into contracts for mutual aid in restoring electric, water, sewerage, or gas services in event of natural disasters or other emergencies under agreed conditions; contracts may include provisions for furnishing personnel, equipment, supplies, and materials; for reimbursement for services or for loss or damages incurred in giving aid; for delegation to designated official or employee to send aid upon request; and other provisions not inconsistent with law. Provides that officials and employees furnished by one municipality to another under authority of such contract to be conclusively deemed to remain officials and employees of aiding municipality for all purposes, and while providing such aid or traveling to another municipality to dispense such aid, are entitled to retain all rights and immunities, including Workmen's Compensation coverage, of their normal employment. Permits municipality, pursuant to such contract to convey to another municipality personal property for use in restoring utility services under such contract without declaration that such property is surplus, notwithstanding GS 160-59 (procedures for public sales of municipal property). Act is not to be construed to deprive governing body of discretion to send personnel, equipment and apparatus to another municipality, whether or not obligated by contract to do so, and no liability to result from declining to give aid.] To Judiciary 2.

HB 407 - Introduced by Leatherman

"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes in Lincoln County." [Appropriates $2,770 from General Fund to Department of Conservation and Development for the period commencing on ratification of act and ending June 30, 1968 and $2,885 for fiscal year 1968-69, for forest fire control purposes in Lincoln County and more particularly for salary and other expenses of an assistant county ranger for county.] To Appropriations.

HB 409 - Introduced by Barbee and Harkins

"To amend Chapter 163 of the General Statutes of North Carolina so as to require that absentee ballots be certified by a member of the county board of elections as being issued to a registered voter of such county." [Amends GS 163-229(b)(1) by providing that on one side of absentee ballot shall be printed an identified space in which shall be inserted the application number of voter, a certified statement by one member of county board of elections to effect that voter is registered qualified voter of county and has made proper application to vote under Absentee Ballot Law (now provides for insertion of name, number and precinct designation of applicant). Amends GS 163-234(1) to add as grounds for rejection of container-return envelope that certification of a member of county board of elections is incomplete or not in compliance with provisions of GS 163-229(b)(1). (Apparently intends to amend sections of proposed recodification of election laws, SB 67-HB 146.) Identical with SB 193.] To Election and Election Laws.

HB 410 - Introduced by Speed

"To provide for construction and equipping of an additional research laboratory to the biological and agricultural engineering building at North Carolina State University at Raleigh, North Carolina, for agricultural mechanization research." [Appropriates $475,500 from General Fund to NC State University for construction and equipping of research lab, as title indicates. Identical with SB 192.] To Agriculture.

LOCAL BILLS INTRODUCED -- HOUSE

HB 404 - (Chowan) Introduced by Godwin of Gates and Culpepper; by request

"To authorize a referendum in the Town of Edenton on the question of amending Chapter 1013 of the Session Laws of 1963 to abolish the Town Board of Public Works." [Provides that at the regular Edenton town election to be held in May, 1967 a ballot, in prescribed form, shall be provided for a referrendum on the question of abolishing the town board of public works. If a majority of votes cast in such referendum favor such abolition the following amendments to the town charter, SL 1961, Ch. 1013, shall become effective: (1) Deletes: 5-member board of public works (BPW) from list of town elective officers; provision for terms and oaths of BPW members; provision disqualifying BPW members from holding certain offices; provisions on resignation and vacancies of BPW members; and provisions describing operation, powers and duties of BPW. (2) Rewrites Chapter V of charter to provide that governing board shall have control and supervision of all departments of town government and that by majority vote it may createa committee on finance and revenue, committee on utilities, and committee on public works;each committee to be composed of two of its members. Committees shall oversee town operations in these areas and approve all accounts and claims against departments and functions within its scope. Governing board or mayor may create other committees. Before payment, all accounts shall be acted upon by governing board at a regular meeting (now, governing board is organized on a commission form with councilmen acting individually as department heads, with provision that all accounts be acted upon by governing board as whole before payment). (3) Amends SL 1965, Ch. 338 (providing for a town administrator) to delete exceptions of the water and light department from scope of manager's supervision. (4) Deletes commissioner of finance and revenue from list of those required to approve bond of town treasurer and authorized to require statement of town receipts and payments from treasurer. (5) Adds provision barring sale or lease of any town owned utility system unless terms approved by majority vote in election held not earlier than six months preceding disposition; sale or exchange of minor portions of any utility system located outside corporate limits do not require voter approval.

If a majority of the votes cast in referendum favor abolition of BPW it is provided that: (1) from and after the Monday following the referendum

(transfer date) all property of BPW or the water and light department shall vest in town. (2) BPW is empowered to execute documents and perform acts prior to transfer date to carry it into effect. (3) Terms of members of BPW elected for four years in 1963, or their successors, shall expire on transfer date but members of BPW elected for four years in 1965 shall become, as of transfer date, advisors to town governing board on utility matters until Monday following 1969 town election when offices shall terminate. (3) Notice of 1967 town election or referendum before or after act, validated.] To Counties, Cities and Towns.

HB 405 - (Caswell) Introduced by Gunn and Ramsey
"To amend Chapter 130 of the Private Laws of 1913 to provide four year terms for officials of the Town of Milton." [Provides for town elections for mayor and four councilmen to be held quadriennally for 4-yr. terms, beginning with regular election 1967 on first Tuesday after first Monday in May (now, biennally). Vacancy in office of mayor or commissioner to be filled for unexpired term by commissioners. Regular elections to be conducted in accordance with Art. 3 of GS 160 except as Act provides otherwise. Ratifies notice given of 1967 regular election.] To Salaries and Fees.

HB 408 - (Carteret) Introduced ty Taylor, Sugg, and Godwin
"To amend Chapter 1291, Session Laws of North Carolina, 1957, being the Charter of the Town of Emerald Isle relating to the corporate limits." [Rewrites portion of SL 1957, Ch. 1291, Sec. 2 setting out new corporate limits of Emerald Isle by metes and bounds.] To Local Government.

HB 411 - (Chatham) Introduced by Andrews
"To amend Chapter 38, Private Laws of 1887, being the charter of the Town of Siler City relating to salaries of the mayor and board of commissioners." [Amends Charter of Siler City by adding provision that mayor shall receive such salary as board of comm'rs determine by ordinance, but salary not to be increased or decreased during time for which mayor elected. Provides that board may by ordinance establish a salary for its members but no increase is to be effective during term in which increase is voted. Validates all salaries and remunerations heretofore paid to members of governing body.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 147 - Rear view mirrors. Received from Senate; sent to Highway Safety.

HB 197 - Indexing deeds of trust. Passed second and third readings.
HB 277 - Red Cross permanent plates, as amended in House 3/30. Passed third reading.

LOCAL BILLS

SB 101 - (Henderson) JP fees raise. Passed.
SB 118 - (Buncombe) Radio & Iden. Bureau. Received from Senate; sent to Judiciary 1.
SB 128 - (Robeson) Library tax. Passed third reading.
SB 158 - (Montgomery) Biscoe realty sale. Received from Senate; sent to Local Government.
SB 159 - (Burke) Drexel zoning. Received from Senate; sent to Counties, Cities and Towns.

Next sessions of House: 10:00 a.m., Saturday, April 1, 1967, for consideration of local bills only.
8:00 p.m., Monday, April 3, 1967.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 39

Monday, April 3, 1967

Note: The Senate convened at 9:00 a.m., Saturday, April 1, to consider local bills only. No Bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 198 - Introduced by Currie

"To amend G.S. 54-14 to provide that North Carolina savings and loan associations may issue such series or classes and kinds of shares as may be issued by federal savings and loan associations." [Adds to cited section provision that NC savings and loan associations may issue such series or classes and kinds of shares and at such stated periods as provided by Federal Home Loan Bank and Federal Savings & Loan Insurance Corporation for federal savings and loan associations (now, only as provided by charter or bylaws) subject to regulations and limitations of Comm'r of Insurance.] To Judiciary 2.

SB 199 - Introduced by Currie

"Adding Section 54-24.1 to the General Statutes of North Carolina so as to provide in the Insurance Department a savings and loan advisory board consisting of seven members." [Creates seven member savings and loan advisory board in the Insurance Department with Comm'r chairman and executive head; Deputy Comm'r of Insurance for Savings and Loan Associations also member and vice chairman, to act as chairman at times designated by Comm'r and in Comm'rs absence. Five members to be appointed by Governor and serve subject to removal by Governor. Three members appointed by Governor to have had experience in management of savings and loan associations. Three members appointed for 2-year terms; two for four years; thereafter all appointees to serve 4-year terms. Members serve without pay but entitled to $7 per diem for expenses. Board to meet at least quarterly on call of chairman. Provides for record keeping; records open to public. Board charged to review rules, instructions and regulations for savings and loan associations promulgated by Comm'r of Insurance; to make recommendations to Comm'r for approval or revision of all or part of existing rules, instructions and regulations; and from time to time to recommend to Comm'r such changes, deletions, new rules, instructions and regulations as Board feels justify change. Board to recommend to Comm'r rules, instructions and regulations for public hearings on matters relating to savings and loan associations.] To Insurance.

SB 200 - Introduced by Evans

"To amend Article 7 of Chapter 120 of the General Statutes to increase compensation of laborers and assistants to the sergeants-at-arms." [Increases daily pay of indicated General Assembly employees to $12 (now, $9). Retroactive to April 1, 1967.] To Appropriations.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 111 - Driver's license photos. Amended to: (1) elminate from original bill requirement that applicant for license must exhibit to Dep't of Motor Vehicles at time of examination a certified copy of his birth certificate, or identification satisfactory to Comm'rs; and (2) to provide that in cases of mail renewal of servicemen's drivers licenses under GS 20-7(f) DMV may waive photograph as well as examination requirement.

HB 197 - Indexing deeds of trust. Received from House; sent to Judiciary 1.
HB 264 - Beer sale nuisance. Passed third reading.
HB 277 - Red Cross permanent plates, as amended in House 3/30. Received from House; sent to Public Roads.
HB 297 - Alcoholic rehabilitation funds. Reported favorably.
HR 412 - (Joint Resolution) Memorializing Cooper. Received from House; passed second and third readings.

LOCAL BILLS

HB 158 - (Mecklenburg) Land conveyance ratified. Passed.
HB 293 - (Pender) Auditor appointment. Passed.
HB 300 - (Sampson) Drunkenness punishment. Passed.
HB 301 - (Wilson) Deputy tax collectors. Passed.
HB 302 - (Wilson) Deputy sheriffs. Passed.
HB 303 - (Wilson) Alcoholic beverage funds. Passed.

Next session of Senate: 12 noon, Tuesday, April 4, 1967.

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BULLETIN NO. 39
Monday, April 3, 1967

Note: The House convened at 10:00 a.m., Saturday, April 1, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 412 - (Joint Resolution) Introduced by McGlamery
"Honoring the memory of William Vance Cooper, former member of the General Assembly from Graham County." [As title indicates.] Passed three readings and sent to Senate.

HB 417 - Introduced by Auman and others
"Exempting residents of North Carolina sixty-five years old and older from hook and line fishing license requirements and from special trout license requirements." [Provides that license requirements of GS 113-271 and GS 113-272 (hook and line, and special trout licenses) shall not apply to NC residents 65 years old and over.] To Wildlife Resources.

HB 418 - Introduced by Ervin and Tate
"To amend Article 2 of Chapter 90 of the General Statutes relating to the practice of dentistry." [Adds new GS 90-41.1 requiring that licensees or applicants for a license to practice dentistry (except applicants for comity or reinstatement after revocation) be given notice and opportunity to be heard by the NC State Board of Dental Examiners before Board can take any action: denying permission to take examination for which application duly made; denying a license after examination for any cause other than failure to pass; or withholding renewal of license for any cause other than failure to pay renewal fee; suspending license; or revoking license. Proceedings to be conducted pursuant to GS Ch. 150 (Uniform Revocation of Licenses). Deletes last three paragraphs of GS 90-41 which provide for investigation, hearing and appeal on question of revocation or suspension of dental license.] To Health.

HB 419 - Introduced by Ervin and Tate
"To amend G.S. 150-9 so as to make the Uniform Revocation of Licenses Act applicable to the State Board of Dental Examiners." [As title indicates.] To Health.

HB 420 - Introduced by Ervin and Tate
"Amending G.S. 90-230 and G.S. 90-231 relating to the practice of dental hygiene." [Amends GS 90-230 to make procedure for revocation of license or other discipline of dental hygienist that of GS Ch. 150, Uniform Revocation of Licenses, (now as provided by GS Ch. 90-41 for dental licensing. Also amends GS 90-231(2) to make annual renewal certificate fee for dental hygienist not in excess of $25 (now $5), which fee is to be annually fixed by NC Board of Dental Examiners with notice of amount given to each dental hygienist licensed to practice in NC.] To Health.

HB 421 - Introduced by Stewart and others
"To provide for the issuance by the Department of Motor Vehicles of special registration plates to motor vehicle owners who are members of the North Carolina National Guard." [Rewrites GS 20-80 to provide that Commissioner of Motor Vehicles shall provide all members (now, officers) of Guard with license plate marked "National Guard" for regular private vehicle fee. License to be issued upon satisfactory proof of Guard membership on form provided by MV Department. (Present law provides for numbering of plates according to seniority of officer based on list supplied by Adjutant General). Effective January 1, 1968.] To Roads.

HB 423 - Introduced by Bunn

"To amend Article 4A of Chapter 66 relating to safety features." [Amends GS 66-27.1 (concerning relief values on automatic hot water tanks or heaters) to prohibit sale of automatic hot water tanks or heaters of 120 gallon capacity or less without pressure-temperature relief value approved by ASME and National Board of Boiler and Pressure Vessel Inspectors, and so labelled", set at or below the safe working pressure of the tank as indicated".] To Judiciary 1.

HB 424 - Introduced by Johnson and others

"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes in Wake County." [Appropriates $2,526 from General Fund to Department of Conservation and Development for each of fiscal years 1967-68, and 1968-69, for forest fire control purposes in Wake County and more particularly for salary and other expenses of an assistant county ranger for county.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 413 - (New Hanover) Introduced by Hill and Clark

"To amend Section 6(e) of Chapter 708 of the 1943 Session Laws of North Carolina." [Adds to cited section provision that, under Wilmington City Employees Retirement System, employee with 20 years or more continuous city service whose position is abolished by legislature while he is employed and before he attains 60, may elect to freeze his employment status at time employment is terminated and be eligible for retirement at age 60.] To Local Government.

HB 414 - (New Hanover) Introduced by Hill and Clark

"To amend certain private laws relating to police, firemen and general employees pension funds in the City of Wilmington." [Amends SL 1951, Ch. 1175; SL 1943, Ch. 708; Priv. L. 1937, Ch. 26; and Priv. L. 1915, Ch. 55, to: (1) substitute Wilmington finance director for city clerk (or clerk-treasurer) as nonvoting member of trustees of Wilmington Police Pension Fund (WPPF), Wilmington Firemen's Pension Fund and Wilmington Employees' Retirement Fund; (2) by eliminating provisions for compensation of nonvoting members of these three funds; (3) by substituting finance director as treasurer of WPPF and eliminating bonding requirement for said office; and (4) by eliminating provision for 4-year terms for voting members of WPPF.] To Local Government.

HB 415 - (New Hanover) Introduced by Hill and Clark

"To amend Chapter 1046, Session Laws of 1963, relating to the Charter of the City of Wilmington in New Hanover County." [Makes following changes in cited charter: Amends Sec. 9.6 to allow oath of office to be taken before any person authorized to administer oaths (now, before the mayor or city clerk). Adds to Sec. 11.3 authority to hire police officers and firemen for temporary period of 18 months without majority action by Civil Service Commission (CSC). Requires that temporary employees take civil service examination not later than sixteenth month of employment; if CSC does not certify employee he is to be removed from City payroll not later than eighteenth month of employment. Amends Sec. 11.7 by deleting specific authority of CSC to set residency requirement in determining eligibility for police and firemen examinations; also deletes provision prohibiting examination of applicants on their political or religious opinions or affilations. Provides that no person be appointed as fireman or police officer who is less than 21 or over 35 except in case of former employee of either department who has served continuously for 3 years or more in either department, had a good record in either department, was not dismissed for cause, and who is not over 40 years of age (now, similar provisions with different age limits). Deletes requirement that CSC set up regulations governing moral worth and character of applicants, and eliminates

5% credit on examination for applicants with three years prior service in NC police or fire department or US Army, Navy and Marine Corps. Repeals Sec. 11.8 which provided for two weeks advance notice in newspaper of CSC examination. Amends Sec. 27.5 to allow police officers to take oath before any person authorized to administer oaths (now, before the city manager).] To Local Government.

HB 416 - (Surry) Introduced by Merritt

"To fix the compensation of the members of the Board of County Commissioners of Surry County." [As title indicates; fixes salary of chairman at $125 per month and salary of other members at $100 per month. Effective May 1, 1967.] To Salaries and Fees.

HB 422 - (Alleghany) Introduced by Collins

"To fix the compensation of the Assistant Clerk of Superior Court of Alleghany County." [Provides that as of March 1, 1967, salary of Assistant Clerk of Superior Court of Alleghany County shall be $1,200 per year payable in equal monthly installments from county general fund.] To Courts and Judicial Districts.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 179 - Western Carolina Center. Received from Senate; sent to Mental Health.

HR 240 - (Joint Resolution) Memorializing Richardson. Reported favorably; passed second and third readings.

HR 412 - (Joint Resolution) Memorializing Cooper. Passed second and third readings.

LOCAL BILLS

HB 396 - (Carteret) Emerald Isle commissioners. Passed third reading.

Next session of House: 12 noon, Tuesday, April 4, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 40

Tuesday, April 4, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 201 - Introduced by Brumby
"To provide for the State of North Carolina to enter into the Interstate Library Compact." [Identical with HB 432, digested in the House section of today's bulletin.] To Libraries.

SB 202 - Introduced by Simmons and others
"For a supplemental appropriation to North Carolina State University to the use of the Agricultural Experiment Station at Clayton and the Agricultural Extension Service for the performance testing of swine." [Appropriates from General Fund to North Carolina State University $63,436 for fiscal year 1967-68 and $19,574 for fiscal year 1968-69 for expanding Central Crops Experiment Station at Clayton and performance testing of swine. Funds appropriated to be expended by Agricultural Experiment Station and by Agricultural Extension Service of NC State. Spells out specific amounts available at Experiment Station for capital improvements ($40,000 total) and increased operating expenses ($4,546 total); and specific amounts available to Extension Service for personnel ($31,064 total) and maintenance and operation ($7,400 total).] To Appropriations.

SB 203 - Introduced by Bailey
"To enact the Interstate Compact for Education." [Enacts Interstate Compact for Education as new Article 43 of GS Ch. 115 and enters into said compact with all states joining in substantially the following form: (1) States purpose to be establishment of cooperation and understanding among executive, legislative, professional, educational and lay leadership on nationwide basis; provision of forum for development of public policy alternatives in education and clearing house for information; and generally to facilitate improvement of state and local educational systems and to promote local and state initiative. Any state or other eligible jurisdiction may enter into compact, provided that at least ten eligible parties adopt compact before it becomes binding. Adoption may be either by enactment of Compact or by adherence by governor (such adherence makes state a party only until Dec. 31, 1967.) Any state may withdraw from compact by repealing it, but such withdrawal not to take effect until one year after governor has given notice of withdrawal to governors of other party states; withdrawal not to affect any liability already incurred prior to time of withdrawal. (2) Provides for Commission to consist of seven members from each party state, including Governor, two state legislators selected by respective houses, and four members

appointed by governor, one of which to be head of state agency responsible for public education. In addition to Commission members representing party states, there may be up to ten non-voting commissioners respresenting leading professional educational organizations or educational administrators, all of whom are to be selected by Commission's steering committee. Each Commission member is entitled to one vote and no action may be taken without majority of members present. Commission may delegate its powers to an executive director, whom they appoint and who acts as secretary to Commission, except that power to approve budgets or requests for appropriations or to make major policy recommendations and adoption of annual report may not be delegated. Commission to have seal; to elect chairman (who shall be a governor) vice chairman and treasurer; to borrow, accept, or contract for services of personnel, and to accept donations or grants (to be reported in annual report); to establish and maintain facilities necessary for transaction of business; to adopt and publish bylaws; and to make annual report to governor and legislatures of each party state. (3) Empowers Commission to collect and analyze data concerning educational needs and resources; to develop proposals for adequate financing of education; to encourage and participate in research in education; and to formulate suggested policies and plans for improvement of public education. (4) Provides for cooperation with federal government, with provision for up to ten non-voting federal representatives to be appointed in manner provided by federal law. (5) Authorizes Commission to elect steering committee of 32 members to serve overlapping terms of two years; one-fourth of members to be governors, one-fourth legislators, and remainder from other members of Commission. Advisory and technical committees, composed of state, local, and federal officials, are also authorized. (6) Provides for financing Commission activities by apportioning among party states amount needed to meet estimated budgets by population - per capita income formula. Budget and estimated expenditures to be provided governors of party states, and apportionment of budgetary costs to be devised in accordance with formula that considers populations and per capita income levels of party states. Commission may not pledge credit of party states and may not, except for income from donations and grants, incur obligations prior to allotment of funds by party states adequate to meet same. Commission to keep records of all receipts and disbursements, such to be audited yearly, and accounts to be open for inspection by officers of party states. and (7) Provides for establishment of NC Education Council composed of members of Education Commission of states representing NC plus not more than five other persons appointed by governor for terms of three years. Governor or his appointee to serve as chairman, and Chairman of State Board of Education and State Superintendent of Public Instruction to be ex officio members of Council. Council to meet not less than three times a year at call of chairman or at request of majority of members. Bylaws to be filed with Secretary of State.] To Education.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION -- PUBLIC BILLS

SB 104 - Abortion justification (Senate committee substitute 3/30). Floor amendment to committee substitute (amendment erroneously reported as adopted in Bulletin No. 37) adopted to require "grave" impairment of mother's health as justification, and that rape to be justification must be reported to law enforcement agency or court official within seven days after alleged rape, and to provide that certificate of justifying circumstances may be submitted within 24 hours after abortion where emergency exists and certificate so states, and

that residency requirement is unnecessary in case of emergency where life of mother is in danger and that four months' residency is to occur "immediately preceding" the operation ("prior to " in original bill). Passed second reading.

SB 111 - Driver's license photos, as amended in Senate 4/3. Passed third reading.

SB 146 - Drugged driving prohibition. Postponed to 4/5.

SB 181 - Cotton Promotion vote. Reported favorably.

HB 240 - (Joint Resolution) Memorializing Richardson. Received from House; passes second and third readings.

HB 289 - Motorcycle definition. Floor amendment adopted excluding from definition of motorcycle any vehicle used by law enforcement agencies. Passed third reading.

HB 297 - Alcoholic rehabilitation funds. Re-referred to Appropriations.

LOCAL BILLS

HB 115 - (Alamance) Elon College beer sale. Committee substitute adopted providing that beer and wine sale for off-premise consumption shall be legal only within corporate limits of Town of Elon College, and that it shall be unlawful to sell beer and wine for on-premise consumption within one mile of Alamance Building located on campus of Elon College, and repealing Pub. L. 1933, Ch. 417, (prohibiting sale of beer and light wines within radius of one and one-half miles from Alamance Building) (original bill only repealed cited chapter).

HB 396 - (Carteret) Emerald Isle Commissioners. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 101 - (Henderson) JP fees raise. [Ch. 135]

SB 128 - (Robeson) Library tax. [Ch. 136]

SR 189 - (Joint Resolution) Memorializing Wallace. [R 32]

HB 74 - Epilepsy not bar to marriage. (House committee substitute 3/24). [Ch.137]

HB 158 - (Mecklenburg) Land conveyance ratified. [Ch. 141]

HB 192 - Epileptic sterilization repeal. [Ch. 138]

HB 201 - (Craven) Draftsmen identification. [Ch. 139]

HB 264 - Beer sale nuisance. [Ch. 142]

HB 283 - Dix hospital renovation. [Ch. 140]

HB 293 - (Pender) Auditor appointment. [Ch. 143]

HB 300 - (Sampson) Drunkenness punishment. [Ch. 144]

HB 301 - (Wilson) Wilson deputy tax collectors. [Ch. 145]

HB 302 - (Wilson) Wilson deputy sheriffs. [Ch. 146]

HB 303 - (Wilson) Alcoholic beverage funds. [Ch. 147]

HR 412 - (Joint Resolution) Memorializing Cooper. [R 33]

Next session of Senate: 12 noon, Wednesday, April 5, 1967.

#

BULLETIN NO. 40
Tuesday, April 4, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 427 - Introduced by Hofler and others
"To amend G.S. 105-204, relating to the beneficial interest in foreign trusts, so as to clarify the application of intangible tax to the interest in such foreign trusts." [Adds provision to cited section (imposing intangible tax on beneficial interest in foreign trusts) excluding value of the corpus of the trust from taxation unless person subject to tax: has right to present possession of an interest therein and only to extent of value of such interest; or has present right to receive part or all of realized income and only to extent of present value of such income interest; or has created the trust and reserved for himself an income or reversionary or remainder interest therein and only to extent of present value of such interest. Effective January 1, 1967 and applies only to intangible tax returns due for 1967 and thereafter.] To Judiciary 2.

HB 432 - Introduced by Stanford
"To provide for the State of North Carolina to enter into the Interstate Library Compact." [Enacts Interstate Library Compact, and enters into said compact with all states joining in substantially the following form: (1) Expresses purpose and policy of party states as authorizing interstate cooperation and sharing with respect to library facilities and services that are adapted to cooperative efforts, and in areas where population distribution or library resources make interstate services most effective. Compact to be effective upon enactment by any two states, and to remain binding on any party state until six months after notice of repeal given to other party states. (2) Provides for each party state to designate a compact administrator, names State Librarian as NC administrator, and authorizes him to appoint deputy adm'ors. (3) Authorizes one or more public library agencies in any party state to establish and maintain an interstate library district(s) with public library agencies in one or more other party states; district may establish and maintain some or all area library services and facilities per agreement, and private library agencies may cooperate per agreement. Library services within district may be supplied jointly or cooperatively or by extension of library privileges. Districts with agreements for joint services may participate in programs for securing and lending of books and publications; accept funds and other gifts (conditional or otherwise) from US, other states or governmental agencies, and private sources; operate bookmobiles; employ personnel; sue and be sued; acquire and dispose of property; and construct and maintain libraries. Governing board of interstate district to include representation for each participating public library; private libraries may be represented or advisory thereto per agreement. Districts authorized to receive state and federal aid, subject to state law and applicable library agreement. Districts lying partly within NC authorized to claim state aid to extent affected NC area would be entitled thereto under state-aid formula. (4) Authorizes state library agencies of two or more party states to undertake joint or cooperative programs or service, including cooperative or joint acquisition and housing and use of specialized or rare items; agencies may incorporate powers of interstate library districts. (5) Authorizes agreements among public and private library (consistent with state constitutions and statutes) detailing specific services affected; allocating costs; specifying rights and obligations of parties; and providing for joint and common property. Such agreements must be filed with compact administrator and submitted to attorney general for legal review; attorney general is to approve unless conditions of act not met, and failure to disapprove within 90 days of submission constitutes approval. Agreement must also be submitted

to and state agency or officer whose constitutional or statutory powers are affected, for review and approval or disapproval under same procedures as for attorney general. (6) Provides that neither the compact nor any agreement thereunder is to supersede legal obligations of any library or authorize transfer of property held in trust. Authorizes any public library agency party to a library agreement to appropriate funds to interstate district and pledge its credit thereto subject to state law; but provides that no NC county, municipality, or political subdivision may be party to an agreement providing for construction of a library, nor pledge its credit nor contribute thereto, except in compliance with applicable laws governing capital authorizations and pledging of credit.] To Library.

LOCAL BILLS INTRODUCED -- HOUSE

HB 425 - (Robeson) Introduced by McMillan

"To amend the Charter of the town of Pembroke, in Robeson County, Chapter 410, Session Laws of 1945, so as to authorize the town commissioners to fix the salary of the mayor. [Amends Pembroke Charter to authorize commissioners to set by ordinance the salary of mayor at amount not in excess of $100 per month.] To Local Government.

HB 426 - (Robeson) Introduced by McMillan

"To amend Chapter 99, Private Laws of 1911, the same being the Charter of the town of Lumber Bridge, so as to provide for biennial elections." [Amends cited charter to provide for biennial election of mayor and members of town governing body for two year terms on first Monday in May, commencing in 1967 (now, annually elected for one year terms). Election to be conducted pursuant to GS Ch. 160, Art. 3 (regulation of municipal elections).] To Local Government.

HB 428 - (Cabarrus) Introduced by Johnson

"Authorizing the establishment of city alcoholic beverage control stores in the City of Concord upon a vote of the people and providing for the allocation of the net proceeds from the operation of such stores." [Provides that Concord Board of Aldermen may on its own motion, or shall on petition of 15% of registered qualified municipal voters and within 60 days after petition filed, conduct special election in city on question of establishment of city ABC stores. (Act shall be void if county ABC stores voted in prior to election under this act.) All voters registered previously or in registration period for this election (provided for in this Act) are eligible to vote. No new registration to be required. Provides form for ballots. Provides that if voters favor ABC stores, then Mayor and Concord Board of Aldermen to create City ABC Board serving 3-year staggered terms; initial board to be composed of chairman to serve for three years and two other members to serve for two and one years, successors to be appointed for terms of three years. ABC Board shall have powers and duties imposed by GS 18-45 (powers and duties of county boards) and subject to powers of State Board of Alcoholic Beverage Control under GS 18-39; no city stores authorized under Act shall be located or operated within 450 feet of any school or church in city and city Board and stores authorized under Act shall be subject to provisions of Art. 3, Ch. 18 (ABC Act of 1937). Provides that board of aldermen is to distribute from net profit remaining after payment of costs and operating expenses and after retaining a sufficient and proper working capital from operation of city ABC stores first 5% for law enforcement; 25% of balance to Cabarrus County and 75% to city. Provides if subsequent election held and voters defeat ABC stores, city ABC board within three months from canvassing of votes to close stores and dispose of all alcoholic beverages, fixtures and property in their control, converting same into cash and turning cash over to city treasurer. Provides that no election shall be held under act within three years of previous election.] To Propositions and Grievances.

HB 429 - (Cabarrus) Introduced by Johnson
"Authorizing the establishment of town alcoholic beverage control stores in the Town of Mt. Pleasant upon a vote of the people and providing for the allocation of the net proceeds from the operation of such stores." [Provides for establishment of ABC stores in Mt. Pleasant; provisions for such establishment identical with those of HB 428 relating to Concord ABC stores, digested above.] To Propositions and Grievances.

HB 430 - (New Hanover) Introduced by Hill and Clark
"To fix the salaries of certain officials and employees of New Hanover County." [Fixes annual salaries of designated county officials as follows: auditor-$10,500; sheriff-$10,500 plus $100 monthly travel allowance; CSC-$10,500; register of deeds-$10,500; recorder's court judge-$14,000; recorder's court solicitor-$11,000. Effective July 1, 1967.] To Counties, Cities and Towns.

HB 431 - (Graham) Introduced by McGlamery
"To amend Chapter 920, Session Laws of 1963, relating to the appointment of special security officers of Fontana Village in Graham County." [Amends cited statute by providing that governor shall appoint special security officers for Fontana Village every four years (statute now provides for appointment of officers on July 1, 1963 to serve four-year term).] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging (Senate committee substitute, 3/16). Reported favorably as to committee substitute. Committee substitute adopted which rewrites various parts of GS Ch. 18 (Regulation of Intoxicating Liquors) as set out below. Rewrites GS 18-51 as follows: Makes lawful in any county or municipality for person 21 or over to possess for lawful purposes alcoholic beverages (as defined by GS 18-60) in amounts not over one gallon when obtained from authorized State ABC store or from lawful source outside State. Person may not possess such beverages for purpose of sale or barter and beverages must be purchased, possessed and consumed in accord with Ch. 18, including the following: (1) beverages may be transported in amounts not over one gallon to and from any place where they may be possessed or consumed but if cap or seal has been opened or broken, beverages may not be transported in passenger area of vehicle; (2) persons may possess and consume beverages in their private residence, in private residence of another with permission, in any hotel or motel room rented by person or to which he is invited, or on any other property of like nature when permitted by owner; (3) Permits furnishing of on-premise facilities not open to general public for storage of beverages (not in excess of one gallon unless otherwise authorized) of bona fide members and for consumption by members and their guests subject to following conditions: establishment is organized and operated solely for social, recreational, patriotic or fraternal purposes, and has valid permit from State ABC board; beverages are stored in individual lockers and name of beverage owner clearly marked on locker and bottles; and beverages are for exclusive use of member and his guest and are not sold or distributed to any other person; (4) Permits person to possess on a special occasion quantity in excess of one gallon (but not for sale or barter) for use of himself and his guests under the following conditions: person is using his personal residence or premises under his exclusive control, or he is using facility as a member as set out in (3) above and facility has valid permit from State ABC board, or he is using a commercial

establishment when any part of it is in use for private meeting or party limited in attendance to members or guests or a particular person, group, association or organization and the establishment has permit from State ABC board; (5) Prohibits possession or consumption of beverages containing alcoholic content of more than 24% by volume on premises of any business establishment (if not otherwise permitted as set out in (2), (3), and (4) above) unless establishment meets following requirements: premises have inside dining area with seating capacity of at least 36 persons and a separate kitchen facility, business is engaged primarily and substantially in preparation and serving of meals or furnishing of lodging (State ABC board given broad power to examine business and determine if it is bona fide restaurant type facility), and business has valid permit from State ABC board; (6) Prohibits drinking or offering a drink to another on premises of liquor control store, upon premises used or occupied by an ABC board, or upon any public road, street or highway; being or becoming intoxicated in any public place; making public display of beverages at any athletic contest; possessing or consuming beverages upon any premises set out in (3), (4), and (5) above unless a valid permit or notice from State ABC board is conspicuously displayed; possessing or consuming beverages upon unauthorized premises or where forbidden by owner, operator or person in charge of premises. Prohibits permitting beverages to be possessed or consumed upon premises not authorized pursuant to Ch. 18; refusing to surrender any permit or notice upon request of State ABC board or falsely displaying any such notice, displaying any notice not permitted by board or obtaining any facsimile permit or notice from any person. (7) Spells out detailed procedures for obtaining from State ABC board required permits and sets out procedures for issuance, renewal, suspension and revocation of both temporary and annual permits. Provides that applications for permits to be accompanied by proper fee which shall be deposited with State Treasurer by State ABC board. Fee is not refundable when permit is refused, suspended or revoked and imposition of similar fees or licenses by counties or municipalities is prohibited. Schedule of annual permit fees is as follows: social establishment-$200, commercial establishment-$200, restaurant having less than 50 seating capacity-$100, restaurant having 50 or more seating capacity-$200, licensees under two or more of the foregoing for the same premises-$300. (8) Makes violation of any of the above provisions or any rule or regulation issued pursuant thereto misdemeanor punishable by fine or imprisonment or both in discretion of court.

Adds to GS 18-39 (powers and authority of State ABC board) new paragraph authorizing Board to adopt rules and regulations pursuant to the provisions of GS 18-51 (as set out above). Such rules to become effective on tenth day after adoption and filing of certified copy in office of Secretary of State. Rewrites GS 18-90.1 by: (a) making it unlawful to sell or give any GS 18-64 products (beers and wines) to any minor under 18 or for such minor to purchase, possess or transport such products (the present section only applies to purchases by and sales or gifts to minors under 18, and also makes unlawful aiding or abetting such a purchase); and (b) making it unlawful to sell or give any GS 18-60 products (liquor) to any minor under 21 or for any such minor to purchase, possess or transport such products (present law applies to minors under eighteen, only applies to purchases by and sales or gifts to minors and also makes unlawful the aiding or abetting of such a purchase. Makes conforming changes in GS 18-11, GS 18-15, GS 18-32, GS 18-49, and GS 18-58.

Adds new GS 18-51.1 as follows: Provides that no permit fee shall be charged for any permit issued to any premises operated by any county or municipality. Provides that act does not repeal any local acts which prohibit possession or consumption of alcoholic beverages within any county, municipality or portion thereof, which shall continue in full force. Provides that State ABC board shall not issue for premises located in any county any permits for purposes set out in (4) and (5) above (i.e., for restaurants and related places, or for special occasions involving quantities in excess of one gallon in any social or related establishment), until at least one county or municipal ABC store has been lawfully established in the county.

SB 71 - Minor girls employment (Senate committee substitute 3/16) as amended in Senate 3/23. Reported favorably as amended.
SB 117 - Headlight use hours, as amended in Senate 3/21 and in House 3/24. Reported as amended without prejudice.
SB 147 - Rear view mirrors. Reported favorably as amended.
SB 179 - Western Carolina Center. Reported favorably.

HB 143 - Motorcyle licensing, as amended in House 3/24. Reported favorably.
HB 227 - Alimony and support payments. Reported favorably.
HB 268 - Chiropractic amendments. Reported favorably.
HB 272 - Handicapped driver flags. Reported favorably as amended.
HB 319 - Dix medical-surgical unit. Reported favorably; re-referred to Appropriations.

LOCAL BILLS

HB 288 - (Surry) Garbage removal licenses. Passed.

Next session of House: 12 noon, Wednesday, April 5, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 41

Wednesday, April 5, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 206 - Introduced by Allsbrook
"Appropriating funds for the further development of Historic Halifax State Historic Site." [Appropriates $60,000 to State Department of Archives and History to be used for historical restoration and development as title indicates. Identical with HB 439.] To Appropriations.

SB 208 - Introduced by MacLean
"To amend Section 105-204 relating to the intangible personal property tax on beneficial interests in foreign trusts." [Amends GS 105-204 (imposing intangible tax on beneficial interest in foreign trusts) by providing that actual value of such trusts on which 25¢ tax per hundred $ value is to apply, is to be less proportion of value equal to proportion of beneficiary's income from trust attributable to: (1) interest received by fiduciary on evidences of debt of US, State, subdivisions of State, or agencies of such governmental units, and (2) dividends received by fiduciary on shares of stock which are deductible by beneficiary in computing his income tax liability under provisions of GS 105-47(7) (deductions from net income of certain stock dividends).] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

SB 204 - (Transylvania) Introduced by Brumby by request
"To authorize the qualified voters of the town of Brevard to determine whether an alcoholic beverage control store shall be established in said town and to prescribe the method of operation and the disposition of the net profits thereof." Provides that Brevard Board of Aldermen may, on own motion, or must, on petition of 15% or more of registered and qualified voters of town, order election on whether to have town ABC store. If majority votes in favor of such store, provisions of act are to apply, but if majority votes against such establishment, then none to be set up or operated under this act. Special election may be called to submit question on or after June 3, 1967. All voters registered previously or in registration period for this election are eligible to vote. No new registration is required. Provides form for ballots and that cost of election shall be paid from general fund of town. Election to be conducted under laws applicable to Brevard general elections. Provides that if voters favor ABC stores then mayor and aldermen to appoint town ABC board with members serving 3-year staggered terms; initial board to be composed of chairman to serve for three years and two other members to serve for two and one years, successors to be appointed for terms of three years. Compensation of members of town ABC board shall be fixed by aldermen. ABC board shall have

powers and duties imposed by GS 18-45 (powers and duties of county boards) and subject to powers of State Board of Alcoholic Beverage Control under GS 18-39; ABC board and stores authorized under act to be subject to provisions of Art. 3, Ch. 18 (ABC Act of 1937). Provides that board of alderman is to distribute from net profits on quarterly basis 25% to county general fund and 75% to town general fund. Before computing net profits the ABC board is to pay all costs and operating expenses, and after accumulating sufficient working capital is to expend not more than 10% of funds for law enforcement purposes and not more than 5% for education as to effects of use of alcoholic beverages and rehabilitation of alcoholics (these amounts to be determined by quarterly audit and to supplement and not supplant amounts usually budgeted for such purposes by town). In expenditure of funds, town ABC board shall employ one or more persons as law enforcement officers to be appointed by and directly responsible to board. Ones appointed shall after taking oath prescribed by law for peace officers have same powers and authoritities within Transylvania County as other peace officers. Provides "hot pursuit" rule to apply to such officers and others following suspects into neighboring counties, and that such officers are authorized to go into such other counties on request of sheriff or other lawful officer in other county and assist in suppressing violation of prohibition laws. While in such other county he shall have powers of officers of that county and protections of officer of Transylvania County. Provides that if subsequent election held and voters defeat ABC stores, city ABC board within three months from canvassing of votes to close stores and dispose of all alcoholic beverages, fixtures, and property in their control, converting same into cash and turning cash over to town treasurer. Provides that no election shall be held under act within three years of previous election.] To Propositions and Grievances.

SB 205 - (Rockingham) Introduced by Penn

"To amend Chapter 650, Session Laws of 1965, relating to ABC stores in the City of Reidsville, so as to give the ABC officers countywide jurisdiction." [Amends cited statute by giving Reidsville ABC officers countywide jurisdiction and same powers and authority as granted ABC officers under GS 18-45(15) (powers and duties of county boards to expend certain sum for law enforcement and to enforce prohibition laws of State).] To Propositions and Grievances.

SB 207 - (Randolph) Introduced by Kemp and McLendon

"To amend Article 5, Chapter 115 of the General Statutes, to provide for election of the Board of Education of Randolph County." [Exempts Randolph County from provisions of Art. 5, Ch. 115 (County and City Boards of Education--how they are constituted, nominated, elected, etc.,) by providing that Randolph County Board of Education shall consist of seven members elected for 4-year terms. Members to be elected in a nonpartisan election to be held at same time as regular primary election held for other County offices with first such election to be held in spring of 1968 and each biennium thereafter. Prohibits second primary. Four candidates receiving highest total votes to be elected for 4-year terms with three candidates receiving next highest total votes to be elected for 2-year terms. Terms of seven present members appointed in 1967 to expire on first Monday in December, 1968. Members elected under act to take office on first Monday in December, 1968. Provides that any registered voter of County shall be eligible to file as candidate for election provided candidates do not file as members of any political party. Election to be conducted on separate ballot to be distributed to all qualified voters without regard to political affiliation. Vancancies on Board to be filled by remaining members of Board for unexpired term.] To Education.

SENATE CALENDAR ACTION -- PUBLIC BILLS

SB 25 - Highway Patrol Planes. Reported favorably.
SR 54 - (Joint Resolution) Civil Service Study Commission. Reported favorably as to committee substitute. Committee substitute adopted which directs Legislative Research Commission to study laws and procedures in other states relating to civil service systems forState employees and make recommendations relating to a civil service system for State employees and need for and desirability of establishing such a system in State (original created a 5-member Civil Service Study Commission to study and prepare legislation relating to civil service system for State employees).
SB 74 - Vehicle liability coverage. Reported favorably.
SB 95 - Continue Wright School. Postponed indefinitely.
SB 104 - Abortion jusitification (Senate committee substitute, 3/30), as amended in Senate, 4/4. Floor amendment adopted prohibiting three doctors of medicine from certifying in writing circumstances which they believe to justify abortion if they are engaged jointly in private practice. Passed third reading.
SB 132 - State aid for airports. Reported favorably as amended; re-referred to Appropriations. Recalled from Appropriations and re-referred to Conservation and Development.
SB 146 - Drugged driving prohibition. Passed second reading.
SB 161 - Equitable 'Safe Driver Plan'. Reported favorably.
SB 165 - Welfare medical payments. Reported favorably.
SB 176 - North Carolina Arts Council. Reported favorably.
SB 181 - Cotton Promotion vote. Passed second and third readings.

HB 242 - Continue Wright School. Passed second and third readings.

LOCAL BILLS

SB 160 - (Burke) Grand jury terms. Passed.
SB 186 - (Rockingham) Closing-out sales. Passed.
SB 188 - (Henderson) Sheriffs Dept. salaries. Passed.

HB 115 - (Alamance) Elon College beer sale, as amended in Senate 4/4. Passed.
HB 210 - (Alamance) Graham ABC profits. Passed.
HB 267 - (Dare) Nags Head election filing. Passed.
HB 288 - (Surry) Garbage removal licenses. Received from House; sent to Local Government.

Next session of Senate: 12 noon, Thursday, April 6, 1967.

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BULLETIN NO. 41
Wednesday, April 5, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 439 - Introduced by Gregory
"Appropriating Funds for the further development of Historic Halifax State Historic Site." [Identical with SB 206, digested in the Senate section of today's bulletin.] To Appropriations.

HB 440 - Introduced by Hamrick
"To place certain employees of the Attorney General's Office under the provisions of the State Personnel System." [Makes five assistant attorneys general appointed under GS 114-4 (relating to appointment assignment and compensation of such assistants) and member of attorney general's staff assigned under GS 114-9.1 as Revisor of Statutes, subject to provisions of State Personnel System (GS 126).] To Judiciary 1.

HB 445 - Introduced by Mullinax and Bailey
"To amend G.S. 105-296 relating to the exemptions and deductions from ad valorem taxation of certain real property so as to provide that the principal dwelling or residence of persons sixty-five years of age or older shall be exempt to the extent of one thousand dollars ($1,000)." [Amends cited section to provide NC residents who are or will be 65 by Jan. 1, 1968, exemption of $1,000 on real property occupied as principal dwelling place; provides that exemption applies to tenancies by the entirety, tenancies in common, and other tenancies of ownership, regardless of age of other spouse or co-tenants. Effective Jan. 1, 1968.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 433 - (Polk) Introduced by Harrill
"To amend Chapter 151, Session Laws of 1961, as amended by Chapter 232, Session Laws of 1965, so as to appoint trustees of Tryon City's administrative school unit in Polk County." [Amends cited statutes by appointing W.L. Hague, John W. Cowan, Tom Mize, Ralph Lawrence and Russell Constance trustees of Tryon City Administrative School Unit for 2-year terms beginning first Mon. in April, 1967 and ending first Mon. in April 1969.] To Education.

HB 434 - (Polk) Introduced by Harrill
"To appoint a Justice of the Peace for Saluda Township in Polk County." [Appoints A.A. Atkins Justice of the Peace for Saluda Township in Polk County for term of 2-years beginning July 1, 1967.] To Justices of the Peace.

HB 435 - (Stanly) Introduced by Whitley
"To authorize the Board of County Commissioners of Stanly County to lease certain property to the Stanly County Firemen's Association and to expend certain funds for fire protection purposes." [Authorizes Stanly Board of Comm'rs to lease portion of Old County Home property no longer needed for other county purposes to Stanly County Firemen's Association for nominal sum for renewable terms of four years. Property is leased for training purposes and Board is authorized to pay not more than $250 per month to Association during fiscal years 1967-68 and 1968-69 to be used by Association in training and erection of necessary structures on property. If Association ceases to use any of leased property for purposes for which leased, any permanent improvements erected thereon by Association become property of Stanly County.] To Local Government.

HB 436 - (Wilson) Introduced by Paschall

"To amend Chapter 723, Session Laws of 1961, so as to provide for increasing the membership of the recreation commission of the City of Wilson from six to seven members." [Authorizes Wilson City Board of Commissioners to appoint a seventh member to Wilson Recreation Commission at April 1967 regular meeting. Appointee to serve until Jan. 1, 1968. All Recreation Commission terms ending Jan. 1, 1968, to be filled by appointment by Wilson Commissioners at regular Dec. 1967 meeting and to be for three years. Every third year three members (now, two) to be appointed to Recreation Commission for 3-year term.] To Counties, Cities and Towns.

HB 437 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter, and Jones

"To amend Chapter 713 of the Session Laws of 1965, being the charter of the City of Charlotte in Mecklenburg County." [Amends Sec. 7.81 of cited charter (powers and procedures of eminent domain) by replacing proviso that whenever city agrees with State Highway Commission (SHC) to acquire right-of-way for street construction or improvement projects forming or to form a part of State Highway System city shall be vested with same authority and may follow same condemnation procedure as prescribed for SHC by N.C. General Statutes with proviso that city when acquiring property for streets, highways and water and sewer facilities is authorized to use procedures and authority prescribed in GS Ch. 136, Art. 9 (road and highway condemnation). Provides that words 'Director','Director of Highways' or 'Director of the Highway Commission' as used in Art. 9 to include City Manager. Amends Sec. 9.22 (powers of selling real property) by adding authority for city council to sell or transfer any right, title, and interest in real property owned by city to other governmental units at private sale, when such real property is no longer needed or suitable for purposes of city or when sale deemed to be in public interest.] To Counties, Cities and Towns.

HB 438 - (Catawba) Introduced by Mullinax

"To amend Chapter 784, Session Laws of 1953, relating to expenditure of funds by the Board of Alcoholic Control of Catawba County. [Authorizes Catawba ABC Board to contract with public or private agencies in handling ABC profits expended for law enforcement, education and rehabilitation.] To Propositions and Grievances.

HB 441 - (Randolph) Introduced by Garner and Blake

"To create a system for the nomination and election of members of County Board of Education in the Randolph County School Administrative Unit." [Provides for election of seven member Randolph County Board of Education beginning with primary and general election of 1968; members to be nominated and elected according to primary and general election laws as set forth in G.S. Ch. 163. Seven candidates receiving highest votes in 1968 primary to be nominated and names to be printed on general election ballot. Nominations thereafter to be for number of places to be vacated. Terms to be for four years except for initial 1968 general election where four candidates receiving highest votes to be elected for 4-year term and next three candidates to be elected for 2-year terms. Nominees elected to take office on first Monday in December after election. Vacancy caused by candidate's failure to qualify, death, resignation, or other reason occurring between date of his nomination and time for general election to be filled by county executive committee of political party of member causing such vacancy; vacancy of member after qualification for any of the above reasons or because of removal or change of residence, to be filled in same manner and within 30 days of date of vacancy. Any district school committee member and anyone engaged in public school teaching, serving

as public school employee, engaged in teaching or conducting a publicly related private school, or holding office within definition of Art. XIV, Sec. 7, N. C. Constitution is ineligible for school board membership. Candidate for Board much be resident of Randolph County School Administrative Unit. Board to fix compensation for each member not to exceed $25 per diem and 8¢ per mile for travel. State Nine Month School Fund to provide $200 of per diem and travel expenses and remainder to be paid out of current expense fund budget of Randolph County. All present members and their successors under Board as now constituted to continue in office until first Monday in December, 1968.] To Education.

HB 442 - (Randolph) Introduced by Blake and Gardner

"To transfer jury trial cases in the Recorder's Court of the Town of Liberty to the Randolph County Recorder's Court in Asheboro." [Provides for transfer of criminal cases from Liberty Recorder's Court to County Recorder's Court at Asheboro (now, to Randolph Superior Court) upon demand for jury trial by defendant or prosecutor. Rquires defendant to execute new appearance bond in amount fixed by Recorder. Repeals SL 1965, Sch. 477, (relating to transfers from Liberty Recorder Court to Superior Court).] To Courts and Judicial Districts.

HB 443 - (Guilford) Introduced by Exum, Short, Phillips, Whitley, Edwards and Bowles

"To amend the Charter of the Town of Gibsonville." [Adds to Gibsonville Charter (SL 1957, Ch. 675) provision relating to liens for utility charges. Utility charges for service or use (including water, supply and distribution) not paid 10 days after due to be lien on property served; charge may be collected any time thereafter by suit in name of Town or by Tax Collector sale of property to which lien attached at County Court House door after prescribed notice by publication. Sale by Tax Collector subject to same rules, regulations, costs and penalties, and rights of redemption as provided by law for foreclosure of lien on real estate for taxes.] To Local Government.

HB 444 - (Anson) Introduced by Mills

"To fix the compensation of members of the county board of public welfare of Anson County." [Adds to GS 108-12 (relating generally to meetings, compensation, etc. of county public welfare boards) provision setting Anson County Public Welfare Board members per diem at $15 (under general law, $10) and providing for payment of actual expenses when attending official meetings. Effective July 1, 1967.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown Bagging (Senate committee substitute, 3/16; House committee substitute 4/4). Floor amendments adopted which: (1) makes technical change; (2) adds "consumption" to "use" as a purpose for which alcoholic beverages may be possessed on special occasions; and (3) adds provision that State ABC Board may not refuse issuance of any permit to any person, firm, or corporation complying with provisions of Art.; may not be arbitary in issuance of permits; and must issue permit to any person, firm, or corporation complying with GS Ch. 18 (relating to regulation of intoxicating liquors). Passed second reading.

SB 79 - Beer makers shipsments, as amended in Senate 3/17. Reported favorably.

SB 98 - Produce handler bonds. Reported favorably.

SB 111 - Driver's license photos, as amended in Senate 4/3. Received from Senate; sent to Roads.

HB 92 - Craven tech. Reported favorably; re-referred to Appropriations.
HB 132 - Busing city school pupils. Reported favorably; re-referred to Appropriations.
HB 150 - Onslow tech. Reported favorably.
HB 207 - Wahsington-Beaufort tech. Reported favorably.
HB 269 - Produce handler bonds. Reported favorably.
HB 289 - Motorcycle definition, as amended in Senate 4/4. Received for concurrence in Senate amendment.
HB 354 - Farm clearing tax deduction. Reported favorably.
HB 403 - Improving sweet potatoes. Reported favorably.
HB 410 - NC State agric. research lab. Reported favorably.

LOCAL BILLS

SB 125 - (Stokes) King charter amendments. Passed.
SB 140 - (Davidson) Lexington phone co. Passed.
SB 144 - (Randolph) Corporate limits extension. Passed.
SB 159 - (Burke) Drexel zoning. Passed.
HB 325 - (Person) Roxboro P.O. lot. Passed.
HB 359 - (Union) Sheriff's workmen's comp. Passed.
HB 365 - (Lincoln) Garbage disposal. Passed.
HB 398 - (Nash) Bailey officials. Passed.
HB 404 - (Chowan) Edenton utilities referendum. Passed.
HB 411 - (Chatham) Siler City comm'r pay. Passed.

Next session of House: 12 noon, Thursday, April 6, 1967.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 42

Thursday, April 6, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 209 - Introduced by Buchanan
"Relating to the leasing of hospital facilities to non-profit corporations." [Amends GS 131-126.2 (general powers of municipalities in construction, acquisition and maintenance of hospital facilities) to provide that lease of hospital facilities made by municipality to nonprofit association under authority of section may be for duration deemed wise and expedient by municipality, but shall not be deemed to convey a feehold interest."] To Public Health.

SB 210 - Introduced by McGeachy and MacLean
"To amend the state banking laws." [Identical with HB 458, digested in the House section of today's bulletin.] To Banking.

SB 211 - Introduced by McGeachy and MacLean
"To amend Article 15 of Chapter 53 of the General Statutes relating to the collection of certain loans by licensees under the North Carolina Consumer Finance Act." [Identical with HB 457, digested in the House section of today's bulletin.] To Banking.

SB 212 - Introduced by Coggins and others
"To provide much needed funds for the school food service program of the public schools of North Carolina." [Appropriates for biennium 1967-69 from General Fund $872,720 to pay salaries of school food service directors and supervisors for purpose of equalizing such salaries with institutional supervisory personnel of equal training and experience in accordance with certification standards recommended by State Superintendent of Public Instruction and approved by State Board of Education; $4,598,000 for allocation to city and county boards of education by Superintendent with approval of State Board to be used solely for purpose of increasing salary rates of school level school food service personnel over salary rate paid prior to July 1, 1967; and $11,089,488 for allocation to city and county boards of education in accordance with standards recommended by Superintendent and approved by State Board for purpose of maintaining current sale prices of lunches to school children.] To Appropriations.

SB 213 - Introduced by Maxwell and Byrd
"To appropriate funds to the Department of Conservation and Development for the purchase of land in Burke County." [Appropriates from General Fund $50,400 for purpose indicated in title; land to be used for nursery purposes.] To Conservation and Development.

SB 214 - Introduced by Morgan

"To make an appropriation to the University of North Carolina at Chapel Hill to construct and equip a fourth floor in the dental education wing at the School of Dentistry." [Appropriates from General Fund 1.1 million dollars for purpose indicated in title; new floor to be used for expansion of programs for dental auxiliary training, auxiliary instructors' training, continuing education of practicing dentists, and graduate training in dentistry. Identical with HB 454.] To Appropriations.

SB 215 - Introduced by Morgan

"To rewrite Article II, Section 28, of the Constitution of North Carolina with respect to the compensation of members of the General Assembly." [Identical with HB 446, digested in the House section of today's bulletin.] To Constitution.

SB 216 - Introduced by Morgan

"To make an appropriation to the Department of Motor Vehicles for the employment of additional law enforcement officers to serve driver license suspension and revocation notices." [Appropriates from Highway Fund to Department of Motor Vehicles for 1967-69 biennium $1 million to provide for employment of 50 law enforcement officers and supporting clerical personnel to serve driver license suspension and revocation notices. Effective July 1, 1967. Identical with HB 459.] To Highway Safety.

SB 219 - Introduced by White of Cleveland

"To amend G.S. 153-8 relative to meetings of boards of county commissioners." [Amends cited section to delete requirement that meetings of board of commissioners occur at the county courthouse.] To Judiciary 2.

SR 221 - (Joint Resolution) Introduced by Green

"Requesting the Secretary of the United States Department of Agriculture to recommend pay raises for tobacco inspectors." [As title indicates; requests raises for all grades of tobacco inspectors from grades GS-5 through GS-13. Identical with HR 463.] To Agriculture.

LOCAL BILLS INTRODUCED -- SENATE

SB 217 - (Orange) Introduced by Matheson

"To make G.S. 160-181.2 applicable to the Towns of Hillsborough and Mebane and to expand the zoning authority of the Town of Mebane." [Strikes Orange County from list of counties exempted from GS 160-181.2 (one-mile extraterritorial zoning jurisdiction of municipalities larger than 1,250 pop.) and authorizes Mebane to exercise all zoning powers granted by GS Ch. 160. Art. 14 (zoning regulations) in area outside its corporate limits described by metes and bounds.] To Local Government.

SB 218 - (Pasquotank) Introduced by Wood

"Authorizing the sale for food of quail grown in captivity in Pasquotank County." [Declares to be lawful the sale for food during open season of quail grown in captivity in Pasquotank County, if licensed by Wildlife Resources Commission. Licensee to keep accurate up-to-date records of number of quail sold and name and address of buyer, to be made available during business hours for inspection by Commission's agents and employees. Commission to have authority to make rules and regulations for enforcement of act. Any violation of act or rule of regulation made under its authority is misdemeanor punishable by fine or imprisonment or both in discretion of court.] To Wildlife.

SB 220 - (Cleveland) Introduced by White
"To amend Chapter 684 of the Session laws of 1947 relating to compensation of the mayor and commissioners of the City of Kings Mountain." [Amends cited act as amended by SL 1957, Ch. 72 to raise yearly salary of mayor payable in equal monthly installments to $8,500 (now amount determined by city commissioners of $50 to $500 per month) and monthly salaries of city commissioners to $75 (now $25 per regular monthly meeting attended). Makes inapplicable to Kings Mtn. GS 160-28, which provides that local salary fixed by statute may be reduced by local governing body by not over 10%.] To Salaries and Fees.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 25 - Highway Patrol Planes. Passed second reading.
SR 54 - (Joint Resolution) Civil Service Study Commission (Senate committee substitute, 4/5). Passed second and third readings.
SB 74 - Vehicle liability coverage. Passed second and third readings.
SB 116 - Withdrawing criminal appeals. Reported favorably.
SB 146 - Drugged driving prohibition. Re-referred to Judiciary 2 with proposed floor amendment which provides defense if person charged with offense is under influence of any non-narcotic drug which has been first prescribed for him by any licensed physician within 30 days of alleged offense.
SR 152 - (Joint Resolution) Full-year school study. Reported favorably as amended.
SB 161 - Equitable 'Safe Driver Plan'. Passed second and third readings.
SB 165 - Welfare medical payments. Passed second and third readings.
SB 176 - North Carolina Arts Council. Passed second and third readings.

HB 45 - Personalized license plate (House committee substitute, 3/29), as amended in House, 3/30. Reported favorably.
HB 52 - Governor reward increase, as amended in House, 3/7. Reported favorably.

LOCAL BILLS

SB 136 - (Alamance) School board election. Reported favorably as amended. Amendment adopted changing date when new board of education members to take office, from first Monday in July, 1968 to first Monday in December, 1968. Passed.

HB 266 - (Cleveland) Jail law repeal. Passed.
HB 270 - (Bladen) County Commissioners elections. Passed.
HB 309 - (Richmond) Rockingham council-manager. Passed.
HB 312 - (Halifax) Hosiery mill stock sale. Passed.
HB 325 - (Person) Roxboro P.O. lot. Received from House; sent to Local Government.
HB 359 - (Union) Sheriff's workmen's comp. Received from House; sent to Local Government.
HB 365 - (Lincoln) Garbage disposal. Received from House; sent to Local Government.
HB 396 - (Carteret) Emerald Isle commissioners. Passed third reading.
HB 398 - (Nash) Bailey officials. Received from House; sent to Local Government.
HB 404 -(Chowan) Edenton utilities referendum. Received from House; sent to Local Government.
HB 411 -(Chatham) Siler City comm'r pay. Received from House; sent to Local Government.

BILLS RATIFIED

SB 140 - (Davidson) Lexington phone co. catwalk. [Ch. 148]
SB 159 - (Burke) Drexel zoning. [Ch. 149]

HB 210 - (Alamance) Graham ABC profits. [Ch. 150]
HR 240 - (Joint Resolution) Honoring Richardson. [R 34]
HB 242 - Continuing Wright School. [Ch. 151]
HB 267 - (Dare) Nags Head election filing. [Ch. 152]

Chairman White of the Senate Appropriations Committee announced the appointment of the following senators to the Senate Appropriations Subcommittee: Senators Bailey, Boger, Byrd, Futrell, Gentry, Harrington, McLendon, Moore, Norton, and Warren.

Next session of Senate: 10:00 a.m., Friday, April 7, 1967.

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BULLETIN NO. 42
Thursday, April 6, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 446 - Introduced by Johnson of Duplin and others
"To rewrite Article II, Section 28, of the Constitution of North Carolina with respect to the compensation of members of the General Assembly." [Proposes amendment to NC Constitution Art. II, Sec. 28, to be submitted to NC voters at next general election, authorizing General Assembly to establish compensation for its members and officers, and providing that increases in compensation shall become effective at beginning of next regular session of General Assembly. (Now, members receive $15 per day for maximum of 120 days for regular session and $15 for maximum of 25 days for extra session; presiding officers of two houses receive $20 per day for like periods. Both members and presiding officers receive in addition, such subsistence and travel allowances as established by law, not exceeding allowances established for members of State boards and commissions generally.) Sets forth form of ballot. If majority of votes favor amendment, Governor to certify it to Secretary of State who shall enroll amendment among permanent records of office.] To Constitutional Amendments.

HB 448 - Introduced by Edwards and others
"To establish a minimum balance of income tax due to be paid and a minimum amount of income tax overpayment to be refunded." [Adds to GS 105-157(a) provision that if individual in filing NC personal income tax has balance of tax due at time of filing less than $1, such balance need not be paid. Amends GS 105-163.16(c) to provide that overpayment of $1 or less in NC personal income tax shall not be refunded except on written demand of taxpayer.] To Finance.

HB 450 - Introduced by Barbee
"To amend Article 3 of Chapter 160 of the General Statutes relating to municipal elections." [Amends GS 160-32 to require board of county commissioners to notify precinct registrars of their appointment (now notice must be served upon registrars by sheriff of township constable); amends GS 160-44 to delete reference to Eastern Standard Time from time for opening and closing of polls; and amends GS 160-49 by deleting requirement that board of canvassers meet at "twelve o'clock m., at the mayor's office" when they meet on day following election.] To Counties, Cities and Towns.

HB 451 - Introduced by McMillan of Robeson
"To amend G.S. 160-72 and G.S. 160-163 to remove the limitations upon library and recreation taxes which may be levied with voter approval." [Amends GS 160-72 to delete limitation on amount that may be levied for special library tax (now 15¢ maximum on $100 valuation of property). Amends GS 160-163(2) to remove present limits of 3¢ minimum and 10¢ maximum on municipal and county special recreation taxes, and to provide for maximum tax to be submitted to voters to be determined by petition (if election initiated by petition) or by governing body initiating election. Further amends GS 160-163 by adding new paragraph authorizing governing body on its own motion or upon receipt of petition signed by at least 15% of qualified and registered voters, to submit to voters of unit question of increase or decrease of recreation tax where such unit has already approved special recreation tax levy.] To Finance.

HB 452 - Introduced by McMillan of Robeson
"To authorize payment of delinquent municipal taxes to the general fund." [Adds new GS 160-58.1 providing that governing body of any municipality may in its discretion direct payment into general fund of all or any part of the proceeds of taxes collected subsequent to end of fiscal year for which levied.] To Finance.

HB 454 - Introduced by Mills of Anson and others

"To make an appropriation to the University of North Carolina at Chapel Hill to construct and equip a fourth floor in the dental education wing at the School of Dentistry." [Identical with SB 214, digested in the Senate section of today's bulletin.] To Appropriations.

HB 456 - Introduced by Leatherman

"To amend Article 23 of Chapter 116 of the General Statutes of North Carolina pertaining to the State Education Assistance Authority." [Amends GS 116-202 to permit Authority to buy and sell obligations of students representing loans made to students, for purpose of obtaining training or education, who are attending post-secondary business, trade, technical, and other vocational schools. (Now, only students attending institutions of higher education.) Amends GS 116-206 to permit Authority to acquire from any bank or other lending institution a contingent interest of 100% of any individual obligation. (Now, limited to acquiring contingent interests not exceeding 80% and only from NC banks or lending institutions.)] To Higher Education.

HB 457 - Introduced by Godwin of Gates

"To amend Article 15 of Chapter 53 of the General Statutes relating to the collection of certain loans by licensees under the North Carolina Consumer Finance Act." [Amends GS 53-172 (which prohibits licensees under Consumer Finance Act from conducting their business in an office or annex to an office of "any other business"), to provide that collection by licensee of loans legally made in NC, or another state by another government-regulated lender, shall not be considered to be "any other business" within meaning of section (as well as installment paper dealers, which are already excluded from this category). Also adds to GS 53-172 provision that section shall not be construed to authorize collection of loans or charges in violation of GS 53-190. Amends GS 53-190 (which prohibits enforcement in NC of loan contracts made outside NC of $600 or less where charges greater than those permitted by GS 53-173 are made) by adding provision that no lender licensed under Act may collect loan made by lender in another state to NC resident borrower, and that purchase of loan account shall not alter this prohibition. Identical with SB 211.] To Banks and Banking.

HB 458 - Introduced by Godwin of Gates

"To amend the State Banking Laws." [Adds to GS 53-2 provision authorizing Banking Commission to adopt regulations to keep original required minimum capital funds intact as protection for depositors. Amends GS 53-4 to provide that Commissioner of Banks shall certify proposed banking incorporations to Secretary of State unless he finds (now, has reason to believe) existence of certain unfavorable factors; adds, as one of such unfavorable factors, that character and fitness of directors and officers of proposed bank does not command confidence of community. Adds to GS 53-10 authorization for bank, with approval of Comm'rs, to amend its charter by two-thirds stockholder vote to permit increase in authorized but unissued stock, not exceeding 10% of outstanding stock of its class; such stock may be issued to officers or employees pursuant to stock option or stock purchase plan. Amends GS 53-12 to provide that Comm'r shall determine whether proposed bank consolidations are in the public interest, as well as (by present law) legitimate and protective of stockholder interests. Adds GS 53-42.1 prescribing details of procedure for immediate reports to Comm'r by bank executives of: changes in outstanding voting stock of a bank resulting in change of control(power to direct bank policy or management, or any change of as much as 10% of voting stock); and loans made by a bank (to be) secured by 25% or more of its voting stock. Gives banks additional powers under GS 53-43 of issuing, advising and confirming letters of credit; receiving money for transmission; becoming member of clearing house association, and pledging assets for qualification; carrying on safe deposit business, but not

investing over 15% of its paid-in stock and surplus in a safe-deposit corporation for that purpose; performing bank service corporation services, subject to Commission regulations; and exercising other powers incidental to general banking business, subject to Commission regulations.

Adds new GS 53-43.3 to 53-43.9: (a) authorizing banks, subject to Comm'n regulation, to purchase real and personal property on request of prospective lessee pursuant to binding agreement to lease, and to purchase realty and personalty subject to existing lease (direct lease financing), with realty investments not exceeding 10% of bank's resources, nor single realty investments exceeding 10% of paid-in stock and surplus; (b) authorizing banks to establish stock option and stock purchase plans for its officers and employees, approved by directors and two-thirds of affected stockholders and Comm'r, for purchase at not less than par, nor less than 100% of market value on date of option, nor less than 85% of market value on date of purchase; (c) authorizing issuance of capital notes and debentures, under Comm'n regulations; (d) authorizing banks to operate deposit accounts in name(s) of, or lease safe deposit boxes to, minor(s), with same liability as if minors were of age, and to rent safe deposit boxes to married minors jointly; (e) authorizing banks to institute school thrift plans and collect savings of school children through school officials, with approval of school board and pursuant to Comm'n regulations; school officials making collections are to be agents of banks; acceptance of such deposits not to be construed as establishing branch bank; and (f) prescribing detailed regulations for opening of safe deposit boxes that are more than one year delinquent in box rentals, and for disposition of contents.

Amends GS 53-46 to authorize purchase by banks of debt securities of all agencies of US Government or guaranteed by US, within prescribed limits (now, only includes obligations of US and of certain named US banking agencies); eliminates reference to certain securities acquired by banks prior to 1927 covering bank premises. Amends GS 53-48 to exempt from loan limits loans secured by bonds of US agencies or guaranteed by US. Rewrites GS 53-50 (requiring instantly available reserve funds of at least 15% of demand deposits and 5% of time deposits) to provide that Federal Reserve member banks shall maintain reserves in accord with US requirements for such members; that non-Reserve members shall maintain reserve funds as now provided by this section, with reserves computed on basis of average daily deposits for bi-weekly or shorter periods fixed by Comm'n; requires prescribed written notice to Comm'r of deficiencies in reserve funds. Amends GS 53-62 to require Comm'r to make certain findings prior to approving establishment of branches or tellers' windows (now, must ascertain such conditions to his satisfaction); and to provide for election of cashier or (now, and) other officers by branch banks. Adds to GS 53-67 providions empowering bank stockholders to authorize not more than two additional directorships (supplementing regular directors) which may be left to be filled by directors between stockholder meetings. Adds to GS 53-77.2 procedures for reverting to 6-day banking week with respect to any bank or banks, after adoption of 5-day week, by order of Comm'r. Eliminates from GS 53-80 statutory requirements that directors be shareholders; makes conforming amendment to oath provision of GS 53-81. Adds to GS 53-84 authorization for banks to deposit funds in foreign bank (but not any part of required reserves). Adds to GS 53-91 provision authorizing banks to make unsecured loans no larger than $2,500 to bank officers or employees. Amends GS 53-117 to eliminate requirement for examination of every bank at least once in every year, leaving the frequency of examinations to discretion of Comm'r. Amends GS 53-122(5) to permit compensation and expenses of Banking Comm'n employees to exceed fees collected from banks if funds are available from Contingency and Emergency allocations; amends 53-122(6) to authorize C and E allocations to meet deficits in essential operating funds for Comm'r, and to authorize uniform percentage increase in bank fees if estimated receipts are less than estimated costs of maintaining Comm'rs office for next fiscal year. Adds to GS 53-126 provision that this section (prohibiting loans or gratuities by banks to Comm'r and bank examiners) shall not be construed to prohibit bank from acquiring note or installment contract of (assistant) bank examiner if original contract or note was with some other creditor or lender. Rewrites GS 53-139 to provide that

minimum capital stock of industrial bank commencing business shall be 50% of that required for commerical bank (section now spells out specific dollar limits scaled according to size of city or town). Amends GS 53-141(4) to provide procedure for closing of branch industrial banks, with approval of Comm'r; to establish new criteria for Comm'r's approval of establishment of branch industrial banks, including needs and convenience of community, probable volume of business and demand, history of bank and adequacy of capital structure, etc.; provides that no branch shall be authorized where parent bank's paid-in capital does not meet requirements for commercial banks under GS 53-62 (in place of present provisions spelling out specific dollar limits for parent, scaled according to size of city or town). Adds to GS 53-141(7) provision that Comm'r's approval of acceptance by industrial bank of demand deposits shall be contingent upon its meeting capital requirements for commerical banks. Adds to GS 53-160 provision that a national bank granted trust powers by US Comptroller of Currency shall be annually licensed to act as fiduciary under this section, and annually granted a certificate of solvency without examination.

Amends GS 24-9 (exemptions from usury laws for certain corporations) to give banks the same rights as factors to contract with and collect from commercial and industrial corporations interest at any agreed rate on secured loans.] To Banks and Banking.

HB 459 - Introduced by Hamrick and others

"To make an appropriation to the Department of Motor Vehicles for the employment of additional law enforcement officers to serve driver license suspension and revocation notices." [Identical with SB 216, digested in the Senate section of today's bulletin.] To Appropriations.

HB 461 - Introduced by Haynes and others

"To make an appropriation in aid of the school food service program and to provide a better school lunch program for the children of the public schools." [Appropriates from General Fund $2,800,000.00 for 1967-69 biennium for School Lunch or School Food Service Program of State public schools. Appropriation to be made available to State Board of Education for equitable distribution to School Food Service Programs throughout State.] To Appropriations.

HB 462 - Introduced by Burrus and Roberson

"Appropriating funds to the Roanoke Island Historical Association for capital improvements." [Appropriates to Roanoke Island Historical Association from General Fund $50,000 to be used by Association for construction of Educational workshop building adjacent to Waterside Theatre on Roanoke Island. Effective July 1, 1967.] To Appropriations.

HR 463 - (Joint Resolution) Introduced by Speed and Fenner

"Requesting the Secretary of the United States Department of Agriculture to recommend pay raises for tobacco inspectors." [Identical with SR 221, digested in the Senate section of today's bulletin.] To Agriculture.

HR 464 - (Joint Resolution) Introduced by Mohn

"Endorsing the observance of National Library Week." [As title indicates.] To Rules.

LOCAL BILLS INTRODUCED -- HOUSE

HB 447 - (Beaufort) Introduced by Roberson and Burrus

"Relating to Mosquito Control in Beaufort County." [Adds Beaufort to counties listed in SL 1961, Ch. 238 so as to give board of county commissioners all authority given to governing bodies of mosquito control districts for mosquito control purposes under GS Ch. 130, Art. 24 (Mosquito Control Districts).] To Health.

HB 449 - (Bertie) Introduced by Burden and Jernigan

"To authorize the Bertie County Board of Education to sell two and one half acres of surplus land to the Aulander Swim Club, Inc." [Authorizes Bertie County Board of Education to sell at private sale to Aulander Swim Club, Inc. at $500 per acre 2-1/2 acres, more or less, of surplus land not needed for school purposes by board, which was leased by board to club on Nov. 2, 1966.] To Education.

HB 453 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert Carson, Hunter and Jones

"To amend G.S. 143-135 relating to the letting of public contracts by the city of Charlotte." [Amends cited section as it applies to Charlotte by raising from $15,000 to $25,000 the cost below which public building contracts are not subject to provisions of GS Ch. 143, Art. 8 (Public Building Contracts).] To Counties, Cities and Towns.

HB 455 - (Anson) Introduced by Mills

"To reorganize and merge the Anson County Administrative School Unit, the Wadesboro City School Administrative School Unit, and the Morven City School Administrative Unit into one school administrative unit under one board of education for all the public schools in Anson County." [Terminates Boards of Education of Wadesboro and Morven and terms of their members as of July 1, 1967. Provides that after July 1, 1967, all schools of Anson County shall operate as part of Anson County School Administrative Unit to be composed originally of the following members (each member's term to expire on first Monday in Dec. of year following his name): Glenn R. Martin 1970, Ed Tucker 1972, J. P. Adcock 1974, (all from Anson County Unit); J. D. McLeod 1970, James A. Hardison Jr. 1972, (Wadesboro Unit); W. E. Steagall Jr. 1970, and Charles Ratliff 1974 (Morven Unit) to take office on, or as soon as practicable after, July 1, 1967 at which time board is to organize itself by electing chairman, vice-chairman and such other officers as may be required and consistent with GS Ch. 115(Education). Thereafter, board to consist of seven members serving six-year terms. Provides for nomination and election of three members at 1970 primary and general county elections, three in 1972, and one in 1974, all to qualify by taking oath on or about first Monday in Dec. following election. Thereafter, nominations and elections to occur as vacancies occur because of expiration of terms. Provides that vacancies occuring before expiration of term to be filled by board; any such vacancies in initial board are to be made by members from same unit. Provides for nomination of candidates by filing procedure. Board members to be paid $10.00 per day for each day of official meetings. Provides for nomination of two members by Wadesboro Commissioners and one by Anson County Commissioners to be appointed by County Board of Education for terms of two years as district school committee for Wadesboro Unit area. Committee shall submit annually a budget to Anson County school board as to expenditures of proceeds from supplemental tax previously authorized and levied for benefit of public schools of Wadesboro Unit, and make annual recommendations as to what portion, if any, of that tax shall be levied; committee to perform only budgetary and fiscal functions as provided for school committee by public law. On July 1, 1967, new Anson County school board shall receive and hold all assets, liabilities, etc. of Wadesboro and Morven City school boards, and city boards shall transfer to new Anson County board all documents, contracts, and files and accounting records. New board authorized to consolidate and take over any and all budgets previously prepared by Wadesboro and Morven school boards and approved by county commissioners. New school board shall at its first meeting elect superintendent for two-year term expiring July 1, 1969 and elect upon recommendation of Superintendent, assistant and associate directors and other required personnel. Terms and periods of service for all personnel then or thereafter elected are to be in accordance with provisions of GS Ch. 115 (Education) and rules and regulations of State Board of Education except that, after first election, Superintendent to be elected on or about first Monday in April, 1969, and biennially thereafter for 2-year term.] To Education.

HB 460 - (Person) Introduced by Ramsey
"To transfer certain delinquent taxes in Person County to the General Fund." [Provides that all delinquent taxes due County and all penalties and interest assessed on delinquent taxes shall, upon collection, be paid into county general fund.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown Bagging (Senate committee substitute, 3/16) (House committee substitute 4/4), as amended in House 4/5. Clarifying floor amendment adopted. Passed third reading.
SB 71 - Minor girls employment. (Senate committee substitute 3/16), as amended in Senate 3/23. Technical amendment adopted. Passed second and third readings.
SB 75 - Cancer Study Commission, as amended in Senate 3/16. Reported favorably.
SB 79 - Beer makers shipments, as amended in Senate 3/17. Floor amendment adopted making technical changes, deleting requirement that manufacturer have procured proper retail licenses, adding provision that any sale to employee of manufacturer does not constitute a retail or wholesale sale under provisions of GS Ch. 18, and specifying that act does not amend or repeal GS 81-14.3 or GS 81-18. Passed second and third readings.
SB 98 - Produce handler bonds. Passed second and third readings.
SB 104 - Abortion justification (Senate committee substitute 3/30), as amended in Senate 4/4 and 4/5. Received from Senate; sent to Health.
SB 181 - Cotton promotion vote. Received from Senate; sent to Agriculture.

HB 116 - Emergency police sharing. Reported favorably as to committee substitute and amendment. Committee substitute adopted which: (1) makes technical amendments, (2) requires record of request and sending of law enforcement assistance to another political subdivision to be recorded in minutes of next regular or special meeting of governing bodies requesting and sending assistance (originally, only required record to be made), and (3) requires emergency to which assistance may be rendered to be declared by chief elected official of requesting political subdivision.
HB 150 - Onslow tech. Passed second reading.
HB 227 - Alimony and support payments. Passed second and third readings.
HB 268 - Chiropractic amendments. Passed second reading.
HB 269 - Produce handler bonds. Postponed indefinitely.
HB 272 - Handicapped driver flags. Amended to: (1) allow use of distinctive flags in distress situations other than motor vehicle, (2) make technical change, and (3) delete requirement that person guilty of misdemeanor be fined not less than $200 or imprisoned for period not less than six months or both. Passed second and third readings.
HB 289 - Motorcycle definition, as amended in Senate 4/4. Postponed to 4/10.
HB 296 - State aid for airports. Reported favorably as to committee substitute. Committee substitute adopted which: (1) adds requirement that at least four appointees to Aviation Committee have broad knowledge of aviation and airport development; (2) eliminates requirement that in order to qualify for State aid for air navigation facilities, aviation easements, acquisition of land, lighting, marking or elimination of airport hazards, the project must have been approved by the Federal Avaiation Agency; (3) makes clarifying change in citation of Federal Aid Airport Program and requires that projects be only generally eligible for approval under that program, (4) deletes specific requirement that eligible airports must have total landing area between 3,000 and 4,500 feet and substitutes requirement that airport be a general purpose non-carrier airport as defined by Federal Aviation Agency.

HB 298 - Industrial development bond. Reported favorably; re-referred to Appropriations.
HB 346 - Real estate license amendment. Reported favorably.
HB 354 - Farm clearing tax deduction. Passed second and third readings.
HB 363 - Post-conviction amendments. Reported favorably.
HB 378 - North Carolina Arts Council. Reported favorably.
HB 390 - Hit-run jail term. Reported favorably.
HB 391 - Racer owner jail term. Reported favorably.
HB 392 - License revoked driving jail. Reported favorably.
HB 393 - School zone speeding jail term. Reported favorably.
HB 394 - Drunk driving jail term. Reported favorably.

LOCAL BILLS

SB 40 - (Cabarrus) Education board membership. Passed.
SB 125 - (Stokes) King charter amendments. Passed.
SB 144 - (Randolph) Corporate limit extension. Passed.
SB 160 - (Burke) Grand jury terms. Received from Senate; sent to Courts and Judicial Districts.
SB 186 - (Rockingham) Closing-out sales. Received from Senate; sent to Courts and Judicial Districts.
SB 188 - (Henderson) Sheriff's Dept. salaries. Received from Senate; sent to Local Government.

HB 115 - (Alamance) Elon College beer sale, (Senate committee substitute 4/4). Received for concurrence in Senate committee substitute; sent to Propositions and Grievances.
HB 271 - (Bladen) White Lake elections. Clarifying floor amendment adopted. Passed.
HB 315 - (Caswell) Homestead appraisers. Passed.
HB 329 - (Mecklenburg) Huntersville officers' pay. Passed.
HB 336 - (Washington) Plymouth elections. Passed.
HB 376 - (Franklin) School board compensation. Passed.
HB 405 - (Caswell) Milton officials' terms. Passed.
HB 416 - (Surry) Commissioners' compensation. Passed.

Chairman of House Appropriations Committee anounced the appointment of the following representatives to the House Appropriations Subcommittees: Barbee, Ervin, Garren, Godwin of Gates, Hamrick, Hill, Jernigan, Johnson of Wake, Kiser, Leatherman, Messer, O'Hanlon, Phillips, Rountree, Royall, Vaughn, Whitley of Stanly, Williamson.

Next session of House: 10 a.m., Friday, April 7, 1967.

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BULLETIN NO. 43

Friday, April 7, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

None

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION -- PUBLIC BILLS

SB 25 - Highway Patrol Planes. Passed third reading.
SB 71 - Minor girls employment (Senate committee substitute, 3/16), as amended in Senate 3/23, and in House 4/6. Received from House for concurrence in House amendment. Postponed to 4/10.
SB 79 - Beer makers shipments, as amended in Senate 3/17, and in House 4/6. Received from House for concurrence in House amendment; concurred.
SB 116 - Withdrawing criminal appeals. Passed second and third readings.
SB 201 - Interstate library compact. Reported favorably.

HB 52 - Governor reward increase, as amended in House 3/7. Passed second and third readings.
HB 227 - Alimony and support payments. Received from House; sent to Judiciary 1.
HB 272 - Handicapped driver flags, as amended in House 4/6. Received from House; sent to Highway Safety.
HB 354 - Farm clearing tax deduction. Received from House; sent to Finance.

LOCAL BILLS

SB 172 - (Rockingham) Bd. of Comm'rs compensation. Passed.
SB 207 - (Randolph) County Bd. of Ed. elections. Passed.

HB 139 - (Cleveland) Shelby election personnel pay. Passed.
HB 235 - (Caswell) Appoint and salary employees. Passed.
HB 246 - (Richmond) Employees salaries. Passed.
HB 259 - (Graham) County salaries. Passed.
HB 271 - (Bladen) White lake elections, as amended in House 4/6. Received from House; sent to Counties, Cities and Towns.
HB 284 - (Lee) Broadway salaries. Passed.

HB 315 - (Caswell) Homestead appraisers. Received from House; sent to Counties, Cities and Towns.
HB 329 - (Mecklenburg) Huntersville officers' pay. Received from House; sent to Salaries and Fees.
HB 336 - (Washington) Pymouth elections. Received from House; sent to Counties, Cities and Towns.
HB 341 - (Sampson) Dog kennel tax. Passed third reading.
HB 376 - (Franklin) School board compensation. Received from House; sent to Salaries and Fees.
HB 405 - (Caswell) Milton officials terms. Received from House; sent to Counties, Cities and Towns.
HB 416 - (Surry) Commissioners' compensation. Received from House; sent to Salaries and Fees.

BILLS RATIFIED

SB 40 - (Cabarrus) Education board membership.. [Ch. 153]
SB 98 - Produce handler bonds. [Ch. 154]
SB 125 - (Stokes) King charter amendments. [Ch. 155]
SB 144 - (Randolph) Corporate limit extension. [Ch. 156]

HB 266 - (Cleveland) Jail law repealed. [Ch. 157]
HB 270 - (Bladen) County Commissioners elections. [Ch. 158]
HB 309 - (Richmond) Rockingham council-manager. [Ch. 159]
HB 312 - (Halifax) Hosiery mill stock sale. [Ch. 160]
HB 396 - (Carteret) Emerald Isle commissioners. [Ch. 161]

Next sessions of Senate: 9:00 a.m., Saturday, April 8, 1967, for consideration of local bills only;
8:00 p.m., Monday, April 10, 1967.

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BULLETIN NO. 43
Friday, April 7, 1967

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 465 - Introduced by Short and others
"To amend Chapter 24 of the General Statutes as it relates to residential loans." [Adds new GS 24-10 permitting interest to be charged and collected up to 7% on either direct reduction loans or construction loans secured by mortgage or deed of trust upon residential property owned by borrower. Such loans not subject to penalty and forfeiture of interest imposed by GS 24-2 (taking or charging interest greater than 6% results in forfeiture of entire interest on note and borrower may recover back twice amount of interest paid in action against lender). Direct reduction loan defined as loan repayable in consecutive installments payable at least quarterly beginning not later than ninety days after execution of note and sufficient to retire debt within time specified, with no subsequent installment greater than previous installment of principal and interest except in case of prepayment or borrower's emergency affecting ability to pay for period not in excess of 180 days; full amount of principal and interest must be paid within scheduled term of loan plus extensions for emergencies and first installment to be payable not later than 18 months after note is executed. Construction loan defined as loan to finance constructing one or more residential dwellings where lender and borrower agree in writing that loan proceeds to be disbursed periodically as construction work progresses; such loans payable in full not later than 18 months after execution of note, except where borrower has secured direct reduction loan with deferred first payment up to 18 months. Residential property defined as real estate upon which one or more single-family dwellings or dwelling units for not more than four families are located or to be located.] To Judiciary 1.

HB 466 - Introduced by Johnson of Duplin
"To appropriate funds to provide a continuing program of horticultural research connected with the cucumber industry." [Appropriates $28,968 for each of fiscal years of 1967-69 biennium from General Fund to NC State University for purpose of expanded research in breeding and production of pickle cucumbers. Provides that not less than $28,968 be appropriated as well for program each fiscal year after 1969.] To Appropriations.

HB 467 - Introduced by Godwin of Craven
"To amend portions of Chapter 165 relating to veterans, and to rewrite and recodify into Chapter 165 the present Article 15 of Chapter 116 relating to scholarships for veteran's children." [Rewrites GS Ch. 165, Art. 1 entitled "North Carolina Department of Veterans Affairs" (now, "North Carolina Veterans Commission") as follows: Renames North Carolina Veterans Commission as North Carolina Department of Veterans Affairs. Department to be governed by State Board of Veterans Affairs, composed of official heads of each veterans organization (nonvoting members) and five voting members appointed by Governor for five-year terms commencing in successive years on May 17. Initial Board to be same as present Veterans Commission, with appointments made as those terms expire (now, substantially the same provisions for Commission members). Both major political parties are to be represented on Board. Board shall meet four times annually (now, prescribes particular months) and at other times called by Governor or Chairman, and shall select one of its voting members as Chairman. All members are to receive per diem for meetings attended and travel and subsistence for official business in amount prescribed by Director of Budget (now, prescribes $7.00 per diem). Prescribes powers and duties of Board, including assisting veterans and their families in obtaining benefits; aiding servicemen in problems arising out of service and within scope of Department's program; collecting

information helpful to veterans and assisting other agencies in distributing such information; establishing field offices and services; accepting property, etc. and entering contracts and agreements; training local government employees engaged in veterans service; contributing amounts not to exceed $1,000 on matching basis for any fiscal year for county veterans service program (participating counties to furnish Department information as it may require); and reporting to Governor and General Assembly. Authorizes local governments to appropriate amounts deemed necessary to provide veterans service program to be operated in affiliation with Department as set forth and declares such expenditure to be for public purpose (substantially similar to present Commission's powers and duties). Provides full-time management of Department by State Director of Veterans Affairs, a veteran of competency and ability to be elected by Board, with approval of Governor, to serve for period as services are satisfactory at salary fixed by Governor with approval of Advisory Budget Commission. Director may employ Ass't and other necessary employees, preferably veterans (now, substantially similar provisions). Provides that Department of Administration (now, Board of Public Building and Grounds) to provide suitable Raleigh facilities and Department is to provide field space. Provides that appropriations are to be made from General Fund; Governor, with approval of Council of State, may allocate funds from Contingency & Emergency Fund (as presently provided). Provides that Governor may transfer to Department such funds, being held for veterans as he deems proper (except for Employment Security Commission (now, exception includes War Veterans Loan Administration, now liquidated). Provides that state or local records desired by Department are to be furnished free with no liability on part of furnisher. Applies Article to person entitled to rights under laws of U.S. relating to veterans benefits (now, to one entitled to rights under Servicemen's Readjustment Act). Makes analogous changes in Article 3 (Minor Spouses of Veterans).

Rewrites Art. 4 (now, Copies of Records Concerning Veterans) to become "Scholarships for Children of War Veterans" making provisions including the following: Defines various terms used in Article, including what periods are to be regarded as periods of war and who are t o be regarded as children of veterans entitled to benefits under Article. Provides that scholarship to consist of tuition, reasonable board and room allowances (as determined by Director of Budget) and other required fees and charges and that one person may obtain only one scholarship and for only four years. Establishes classes of service children entitled to consideration for scholarships. Provides that administration of scholarship program to be in North Carolina Department of Veterans Affairs and disbursing and accounting to be responsibility of Department of Administration. Department of Veterans Affairs shall determine eligibility of applicants) select recipients, maintain records, require necessary information from State educational institutions, and make necessary rules and regulations; Department of Administration to disburse funds upon certification of enrollment by enrolling institution. Funds for support of program to be appropriated to Department of Administration as reserve for payment of such costs and to be placed in separate budget code from which disbursements shall be made. If such fund is insufficient for any year, supplemental funds shall be allocated from C & E fund. Method of disbursing shall be in accordance with standards and procedures prescribed by Director of Budget. Provides that persons granted scholarship under GS 116-150 (scholarships for World War veterans) and attending State educational institution after July 1, 1967, to be entitled to benefits provided to Class I-B beneficiaries (limited scholarship for children whose veteran parent receives 100% disabilitly compensation for service connected disability). Repeals GS Ch. 116, Art. 15 (Educational Advantages for Children of World War Veterans). Effective July 1, 1967.] To Military and Veteran's Affairs.

HB 468 - Introduced by Godwin of Craven

"To amend portions of the Veterans Guardianship Act Relating to public guardians, minimum compensation for guardians and investment of funds by guardians." [Amends GS 34-4 to (1): exempt public guardians from limitation prohibiting

guardianship of US Veterans Administration ward if guardian already has five wards; (2) provide for all minors of family unit to be treated as one ward (now, guardian may act for more than five wards if all are members of same family); (3) require public guardian to furnish separate bond for each appointment as required by GS 34-9; (4) permit public guardian to retain any appointments made during term of office upon termination of office; (5) exempt NC banks and trust companies from section. Adds to GS 34-12 provision authorizing court to approve payment up to $25 in accounting of estate where estate income for any one year is less than $500 as compensation for guardianship (now, compensation not to exceed 5% of any ward's income during any year). Amends GS 34-13(3) to permit guardian to encumber home or farm purchased for ward or dependents, for entire purchase price or balance thereof in order to enable ward to obtain benefits of Tit. 38, Ch. 37, US Code. Permission to be obtained upon petition to CSC and approval by resident or presiding judge of county of appointment of guardian, with notice of hearing and copy of petition to US Veterans Administration and NC Dept. of Veterans Affairs. Amends GS 34-13(5) to require guardian investment of estate funds in federally insured NC banks be only to extent insured by Federal Deposit Insurance Corporation. Replaces "North Carolina Veterans Commission" with"North Carolina Department of Veterans Affairs" wherever former appears in GS Ch. 34.] To Military and Veterans Affairs.

HB 471 - Introduced by Godwin of Gates and others

"To rewrite Article II, Sections 4,5, and 6 of the Constitution of North Carolina, with respect to representation in the General Assembly of North Carolina." [Rewrites Secs. 4,5,6, and 13 of Articel II of NC Constitution. Sections 4 and 6 (districts and apportionment of senators and representatives, respectively) amended to provide for election of senators and representatives from districts revised by General Assembly at regular session immediately following decennial census; each senator and representative to represent, as nearly as possible, equal number of inhabitants (determined by dividing district population by number of district's senators or representatives); each district to consist of continguous territory; no county to be divided to form district; district and apportionment, once established, to remain unaltered until next decennial census. Provides for number of representatives to remain 120, chosen biennially by ballot, but deletes(from present NC Const. Art. II, §5) requirement that each county have at least one representative and that House Speaker make the apportionment under prescribed rules. Amends Art II, §13 to provide that vacancies in General Assembly be filled in manner prescribed by law (now, by Governor on recommendation of appropriate political party executive committee of county in which deceased or resigned member resided). Proposed amendments to be submitted for referendum at next general election, with ballots cast for or against "Constitutional amendments continuing present system of representation in the General Assembly"; if majority of votes cast favor amendments Governor to certify amendments to Sec'y of State to be enrolled among permanent records. Amendments effective upon certification.] To Constitutional Amendments.

HB 473 - Introduced by Quinn and others

"To make an appropriation to the Department of Motor Vehicles for the employment of clerical personnel for State Highway Patrol district offices." [Appropriates from Highway Fund to Dept. of Motor Vehicles for 1967-69 biennium, $260,000 for employment of 36 Stenographers I's to be used as secretaries for district sergeants in each district office of State Highway Patrol. Effective on July 1, 1967.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 469 - (Buncombe) Introduced by Hutchins and Jordan

"Relating to water service charges by the City of Asheville." [Makes it the duty of Asheville governing body, or whatever authority fixes water service

rates in City, to fix rates designed to provide furnishing of water service and necessary repair, maintenance, improvements and extensions to water system, including liquidation of water system indebtedness. Same rate to be charged those furnished water service outside City corporate limits as those within corporate limits. Water service revenues not to be diverted for non-water service purposes. Profits realized to be repaid pro rata to consumers who paid for water service during period when such profits accrued.] To Counties, Cities and Towns.

HB 470 - (Rutherford) Introduced by Harrill
"To authorize the Town of Forest City to make certain expenditures." [Authorizes Forest City to spend non-tax monies not to exceed $500 for purchase of band uniforms and equipment for East Rutherford High School.] To Local Government.

HB 472 - (Currituck) Introduced by Culpepper
"To authorize the Sheriff of Currituck County to appoint deputy sheriffs, and to authorize the Board of County Commissioners to appoint deputy tax collectors, and to fix their compensation and the compensation of the Sheriff and Deputy Sheriffs of Currituck County." [As title indicates; sheriff to appoint deputy sheriffs subject to approval of county commissioners. Repeals all special and local acts dealing with appointment, salaries, fees, and other compensation of deputy sheriffs, sheriff, and deputy tax collectors in county, specifying certain acts to be repealed. Effective July 1, 1967.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 54 - (Joint Resolution) Civil Service Study Commission, (Senate committee substitute 4/5). Received from Senate; sent to State Personnel.
SB 74 - Vehicle liability coverage. Received from Senate; sent to Insurance.
SB 75 - Cancer Study Commission, as amended in Senate 3/16. Postponed to 4/10.
SB 117 - Headlight use hours, as amended in Senate 3/21 and in House 3/24. Postponed to 4/10.
SB 143 - Secret listening, as amended in Senate 3/24. Postponed to 4/10.
SB 147 - Rear view mirrors. Postponed to 4/10.
SB 161 - Equitable 'Safe Driver Plan'. Received from Senate; sent to Insurance.
SB 165 - Welfare medical payments. Received from Senate; sent to Public Welfare.
SB 176 - North Carolina Arts Council. Passed second and third readings.
SB 179 - Western Carolina Center. Postponed to 4/10.

HB 116 - Emergency police sharing (House committee substitute 4/6). Technical amendment adopted. Passed second reading.
HB 150 - Onslow tech. Passed third reading.
HB 268 - Chiropractic amendments. Passed third reading.
HB 346 - Real estate license amendment. Passed second reading.
HB 363 - Post-conviction amendments. Passed second and third readings.
HB 378 - North Carolina Arts Council. Postponed indefinetely.
HB 390 - Hit-run jail term. Postponed to 4/11.
HB 391 - Racer owner jail term. Postponed to 4/11.
HB 392 - License revoked driving jails. Postponed to 4/11.
HB 393 - School zone speeding jail term. Postponed to 4/11.
HB 394 - Drunk driving jail term. Postponed to 4/11.
HB 395 - Altering auto numbers jail. Postponed to 4/11.

LOCAL BILLS

SB 129 - (Robeson) Lumberton Library tax. Passed third reading.

SB 136 - (Alamance) School board election, as amended in Senate 4/6. Received from Senate; sent to Education.

HB 375 - (Duplin) Courts probate fee. Passed.
HB 422 - (Alleghany) Assistant CSC salary. Passed.
HB 428 - (Cabarrus) ABC store elections. Passed.
HB 429 - (Cabarrus) Mt. Pleasant ABC election. Passed.
HB 430 - (New Hanover) Officials salaries. Passed.
HB 431 - (Graham) Fontana Village security. Passed.
HB 436 - (Wilson) Wilson rec. commission terms. Passed.
HB 437 - (Mecklenburg) Charlotte realty powers. Passed.

Next sessions of House: 10:00 a.m., Saturday, April 8, 1967, for consideration of local bills only.
8:00 p.m., Monday, April 10, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 44

Monday, April 10, 1967

Note: The Senate convened at 9:00 a.m., Saturday, April 8, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 223 - Introduced by Scott

"To require licensing of those who engage in the business of warm air heating requiring duct distribution." [Rewrites GS 87-21 (definitions of "heating" for purposes of Article on licensing plumbing and heating contractors) to create definition of heating, group number three, as direct heating system of building which produces heat at raised temperature of building space for purpose of comfort in which electric heating elements or products of combustion exchange heat either directly with building supply air or indirectly through heat exchange and using air distribution system of ducts. Redefines "heating" to include new group (now, includes only groups one and two). Makes other changes to include new group in references that now include only groups one and two. Adds new GS 87-21(e) providing that persons producing satisfactory evidence of residence in state at ratification of Act and engaged in business of heating, group number three, and pay current state revenue tax shall be granted a license, without examination, to conduct business of heating, group number three, upon completion of an application approved by Board of Examiners of Plumbing and Heating Contractors and payment of annual license fee on or before one year after ratification of Act. Rewrites GS 87-21(d) to provide that persons engaged in business as defined in Act in cities or towns which attained a population of more than 3500 as recorded by last decennial US census and who had paid state revenue tax within census year in which municipality attained such population shall be granted license in the classification in which they are qualified without examination upon documented proof as required by Board within twelve months after publication of last US census and payment of annual license fee (now, substantially the same provision without reference to "documented proof," and with requirement that person produce satisfactory evidence that he is engaged in business of plumbing or heating contracting). Adds new GS 87-26(e) requiring that persons licensed under section exercise general supervision over contracts to completion.] To Judiciary 2.

SR 224 - (Joint Resolution) Introduced by Ellis

"Endorsing the observance of National Library Week." [As title indicates. Identical with HR 464, digested in Bulletin No. 42.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

SB 222 - (Wilkes) Introduced by Bryan
"To amend G.S. 89-14 relating to land surveyors so as to amend said act as it pertains to Wilkes County." [Modifies cited section (registration of land surveyors) as to Wilkes County, to permit registration any time prior to July 1, 1968 (generally, July 1, 1960) and to require that such registration must be preceded by recommendation or request for certification signed by majority of practicing attorneys in Wilkes County who handle legal matters requiring surveys. Licensees to be restricted to surveying in Wilkes.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION -- PUBLIC BILLS

SB 71 - Minor girls employment (Senate committee substitute, 3/16), as amended in Senate 3/23, and in House 4/6 and 4/7. Concurred in House amendment.
SR 152 - (Joint Resolution) Full-year school study. Amendment adopted authorizing Commission, with approval of Governor, to secure clerical and other assistants and services as deemed necessary in performance of its duties, and providing that members of Commission shall be paid per diem, subsistence and travel allowances as prescribed in Biennial Appropriations Act for State Boards and Commissions generally; all expenses to be paid from Contingency and Emergency Fund. Passed second and third readings.
SB 201 - Interstate Library Compact. Passed second and third readings.
SR 224 - (Joint Resolution) Nat'l Library Week. Passed second and third readings.
HB 150 - Onslow Tech. Received from House; sent to Education.
HB 268 - Chiropractic amendments. Received from House; sent to Public Health.
HB 289 - Motorcycle definition, as amended in Senate 4/4. Recalled from House. Vote by which passed third reading reconsidered. Placed on calendar 4/12.
HB 363 - Post-conviction amendments. Received from House; sent to Courts and Judicial Districts.

LOCAL BILLS

SB 178 - (Onslow) Special tax levy. Passed third reading.
SB 217 - (Orange) Hillsborough, Mebane zoning. Passed.
HB 325 - (Person) Roxboro P. O. lot. Passed.
HB 327 - (Beaufort) Tax listing. Passed.
HB 330 - (Mecklenburg) Courthouse definition. Passed.
HB 331 - (Mecklenburg) Charlotte firemen retirement. Passed.
HB 359 - (Union) Sheriff's workmen's comp. Passed.
HB 365 - (Lincoln) Garbage disposal. Passed.
HB 375 - (Duplin) Courts probate fees. Received from House; sent to Courts and Judicial Districts.
HB 398 - (Nash) Bailey officials. Passed.
HB 404 - (Chowan) Edenton utilities referendum. Passed.
HB 411 - (Chatham) Siler City comm'r pay. Passed.
HB 422 - (Alleghany) Assistant CSC salary. Received from House; sent to Courts and Judicial Districts.
HB 428 - (Cabarrus) ABC store elections. Received from House sent to Propositions and Grievances.
HB 429 - (Cabarrus) Mount Pleasant ABC election. Received from House; sent to Propositions and Grievances.
HB 430 - (New Hanover) Officials salaries. Received from House; sent to Salaries and Fees.
HB 431 - (Graham) Fontana Village security. Received from House; sent to Counties, Cities and Towns.
HB 436 - (Wilson) Wilson rec. commission terms. Received from House; sent to Counties, Cities and Towns.
HB 437 - (Mecklenburg) Charlotte realty powers. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: 12 noon, Tuesday, April 11, 1967,

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BULLETIN NO. 44
Monday, April 10, 1967

Note: The House convened at 10:00 a.m., Saturday, April 8, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 477 - Introduced by Tolbert
"To exempt persons over 65 years of age from the requirement of purchasing hunting and fishing licenses." [Adds to GS 113-98 provision that persons over 65 are not required to pay any license fees or to purchase any license required by GS Ch. 113, Art. 7 (North Carolina Game Law of 1935), but must observe open and closed seasons, bag limits and other provisions as to hunting or taking game. Adds to GS 113-276 provision that Wildlife Resources Commission shall not require persons over 65 to purchase or acquire any fishing license required by GS Ch. 113, Art. 21 (Inland Fishing Licenses), but requires such persons to observe all other fishing laws and regulations as required by the Article.] To Wildlife Resources.

HB 481 - Introduced by Johnson of Wake
"To provide for an automatic review of the sufficiency of evidence in a criminal case." [Adds new GS 15-173.1 providing that the sufficiency of evidence of the State in criminal cases is reviewable on appeal whether or not motion is made in trial court pursuant to GS 15-173 (motion to dismiss by defendant after State rests).] To Judiciary 1.

HB 487 - Introduced by McFadyen and McMillan of Robeson
"For a supplemental appropriation to the Department of Conservation for forest fire control purposes in Hoke County." [Appropriates from General Fund to Department of Conservation and Development $31,762 for fiscal year 1967-68 and $4,893 for fiscal year 1968-69, to be used by Forestry Division for forest fire control in Hoke County, and particularly for equipment purchases, personnel, and operation of medium firelane plowing unit. Effective July 1, 1967.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 474 - (Carteret) Introduced by Taylor, Godwin and Sugg
"To amend Chapter 1291, Session Laws of North Carolina, 1957, being the Charter of the Town of Emerald Isle, relating to corporate powers." [Adds to corporate powers section of Emerald Isle Charter proviso that charter shall not be construed to give Emerald Isle power to regulate anything covered by General Statutes Chapter 113, Subchapters IV and V (relating to conservation of fisheries resources, and oil and gas conservation.)] To Counties, Cities and Towns.

HB 475 - (Guilford) Introduced by Bowles, Phillips, Exum, Edwards and Short
"To provide for the election of the Board of Education of Guilford County." [Designates membership of county board of education as follows: William H. Barton, Mrs. Edward Burke, and Mrs. O. Arthur Kirkman whose terms expire on or about first Saturday in April, 1969, and Howard E. Carr and Zack L. Whitaker whose terms expire on or about first Saturday in April, 1971. Provides that upon expiration of specified terms successors to be elected, beginning with 1968 County primary and biennially thereafter, at non-partisan election. Makes county registered voters eligible as candidates for board; requires timely payment of $5 filing fee. Requires separate "School Board" ballot and permits all qualified voters of county to vote. Candidates receiving highest votes cast declared elected for four-year terms and without recourse to second primary. Persons elected to qualify on or about first

Saturday in April following election. Vacancies occurring before qualification to be filled for the elected term by members of board with whom member would have served; vacancies occurring after qualification to be filled by remaining members for unexpired term. Requires vacancies to be filled within 30 days and if members do not act, requires State Board of Education to fill vacancy. Makes board subject to provisions of GS Ch. 115 (Elementary and Secondary Education).] To Education.

HB 476 - (Hyde) Introduced by Roberson and Burrus

"Relating to the compensation and travel allowance of certain officials and employees of Hyde County." [Provides for board of county commissioners to fix on or before July 2, 1967, monthly salary of clerk of superior court at not less than $335 and not more than $435 to be paid from county general fund; salary to be effective from July 1, 1967 until clerk becomes State official under uniform court act in December, 1968. Provides that comm'rs fix annual salary for register of deeds at not less than $4,000.00 and not more than $5,200.00 from July 1, 1967, payable out of county general fund. Provides also that by July 3, 1967, comm'rs are to fix salary of register of deeds for period beginning July 1, 1967 and ending on first Monday in December, 1970, and to fix salary of register by first Monday in April, 1970, for four-year term beginning on first Monday in December, 1970, and similarly at four-year intervals thereafter. If comm'rs fail to set register's salary, salary schedule then in effect to continue for next four-year term. Both clerk of superior court and register of deeds to continue to collect fees of office, but such fees to go into county general fund. Provides that each member of county board of education and county comm'rs shall, beginning on first Monday in December, 1968, be paid $25.00 per diem while on official business; with comm'rs fixing annually rate of mileage allowance for county officials and employees who are entitled to a mileage allowance at not less than 8 cents nor more than 10 cents per mile of actual travel.] To Counties, Cities and Towns.

HB 478 - (Vance) Introduced by Church and Speed

"To consolidate the Vance County School Administrative Unit and the Henderson City School Administrative Unit; to provide for the election of the members of the consolidated board of education; to provide for a referendum to submit the question of consolidation to the people of Vance County." [(1) Provides for county-wide referendum, as title indicates, within 10 days after ratification of Act on question of consolidating Vance and Henderson boards of education, and specifies details of election procedure. (2) Provides, if referendum favorable, for present boards to continue in operation until 1st Monday in Dec., 1967, and then to be replaced by interim board (consisting of the five members of the county board and five members of city board, appointed by it), which is to serve until 1st Monday in Dec., 1968. Interim board is to have all powers and duties provided by GS Ch.115; make plans for operation of merged units; and elect its chairman and appoint school sup'ts as co-secretaries at its 1st meeting. Expenditures by interim board of unencumbered capital outlay funds of city board to be approved by county comm'rs. Interim board to employ personnel by July 1, 1968 on recommendation of superintendent-elect, and determine school salaries and positions for 1968-69 school year. (3) Provides for permanent consolidated board to be nominated at 1968 county primary, and to consist of five members, with two nominated from (and reside and be electors in) District I, Henderson Township within Henderson City; and one member each nominated from (and resident and electors in) each of the following districts: District II, Henderson Twnshp. outside Henderson City; District III, Watkins, Kittrell and Sandy Creek Twnshps.; and District IV, Dabney, Williamsboro, Townsville and Middleburg- Nutbush Twnshps. Candidate receiving highest votes at 1968 general election from Dist. I to serve four years, next highest two years; candidates elected from Dists. II and III to serve four years, and from Dist. IV to serve two years; all subsequent members to serve 4-year staggered terms. Second primary provisions of GS Ch. 163 made applicable. Vacancies to be filled by consolidated board by

appointment of resident-elector of vacated district. Executive committee of party represented to fill nominee vacancies. $10 candidate filing fee established. (4) Provides for interim board to elect county superintendent of schools on 1st Monday in April, 1968, to assume duties July 1, 1968, for one-year term; sup't to be elected 1st Monday in April, 1969 by consolidated board to serve 2-year term beginning July 1, 1969; thereafter sup't to be elected under general school law. (5) Provides for consolidated board to have all powers of city and county boards of education, as provided by general laws and by local acts applying to Vance County. Provides for transfer of all property to consolidated board on 1st Monday in December, 1968. Consolidated board members to receive $50 monthly compensation and chairman $100 monthly.] To Education.

HB 479 - (Burke) Introduced by Ervin

"To make applicable to the Town of Morganton, effective as of October 7, 1968, the provisions of G.S. 105-422 relating to the limitation of actions on tax liens." [Makes cited section (barring enforcement of tax liens unless action commenced within ten years from the time taxes were due) applicable, on and after October 7, 1968, to town of Morganton. Other municipalities in Burke County reamin exempted from provisions of section. Effective July 1, 1967.] To Judiciary 1.

HB 480 - (Burke) Introduced by Ervin

"Relating to ad valorem property tax penalties and discounts for the Town of Morganton." [Modifies GS 105-345 (penalties and discounts for nonpayment of certain local taxes) to provide that no discount is to be allowed for prepayment of property taxes owed to town of Morganton. Provides for following payments on taxes: par, if paid on or before first day of Feb. of year in which due; during February, interest added at rate of one per cent; during March, 2%; on or after April 1, 2% plus additionalinterest at rate of 1/2% per month or fraction thereof on principal amount from said date. Repeals Ch. 182, S.L. 1953 and Ch. 126, S.L. 1965 (both relating to such penalties and discounts) insofar as they relate to the discounts and penalties applicable to prepayment of ad valorem property taxes owed to Morganton. Effective Jan. 1, 1968 and applicable only to taxes due for taxable year 1968 and thereafter.] To Judiciary 1.

HB 482 - (Catawba) Introduced by Mullinax

"To prevent the discharge of firearms on any public highway or street in Catawba County, so as to insure the safety of the general public and to prevent the destruction of public property." [Prohibits firing pistol, shotgun, rifle or other firearms on public street, highway or right-of-way in Catawba. Exempts from application of Act federal and state armed forces and civil officer personnel in discharge of official duties and county, city and town law enforcement officers in discharge of their official duties. Conviction of violation of Act a misdemeanor punishable by fine, imprisonment or both in discretion of court.] To Judiciary 1.

HB 483 - (Richmond) Introduced by Hunter

"To make more specific the time specified in Chapter 102, Session Laws of 1967." [Amends HB 155, ratified March 28, 1967, so as to specify that acts of City of Rockingham in paving streets, laying curbs and gutters, etc., occurring from March 28, 1964 to March 28, 1967 are validated (original amended act ratified such acts occurring only within past three years).] To Local Government.

HB 484 - (Forsyth) Introduced by Hamrick, Bailey, McKnight, Jemison, and Ingle

"To authorize the Board of County Commissioners of Forsyth County to fix the compensation of County officials and employees." [Amends GS 153-48.5 by adding Forsyth to list of counties authorized to fix number of salaried county employees and to fix compensation of county officials and employees.] To Judiciary 1.

HB 485 - (Forsyth) Introduced by Hamrick, Bailey, McKnight, Jemison, and Ingle "To amend Chapter 1229 of the 1963 Session Laws so as to make said Chapter applicable to Forsyth County so as to authorize the use of non tax funds for local development purposes in Forsyth County." [Amends cited statute to authorize Forsyth County, or city or town in County, to appropriate funds from non-tax sources pursuant to GS Ch. 158, Art. 1 (Local Development Act of 1925) without the petition or election now required.] To Judiciary 1.

HB 486 - (Forsyth) Introduced by Hamrick, Bailey, McKnight, Jemison and Ingle "Amending Chapter 144 of the Session Laws of 1965 entitled "An act amending Chapter 224 of the Private Laws of 1927 entitled 'An act conferring power on certain cities and towns to make certain local improvements and prescribing the procedure therefore and for the assessment of all or a part of the cost thereof', as amended, as the same relates to the City of Winston Salem." [Adds to SL 1965, Ch. 144 (relating to local improvements) provision for filing of preliminary assessment rolls and confirmation of assessments with respect to authorized projects assessed on a flat-rate basis, without governing body's determination of cost of particular improvement to which assessment applies; assessments not to be confirmed prior to completion of project and governing body to determine cost of project as soon as practicable after completion. Act to apply only to Winston Salem.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 25 - Highway patrol planes. Received from Senate; sent to Highway Safety.
SB 116 - Withdrawing criminal appeals. Received from Senate; sent to Courts and Judicial Districts.
SR 224 - (Joint Resolution) National Library Week. Received from Senate; passed second and third readings.

HB 116 - Emergency police sharing (House committee substitute, 4/6). Passed third reading.
HB 289 - Motorcycle definition, as amended in Senate 4/4. Returned to Senate by Senate request.
HB 346 - Real estate license amendment. Passed third reading.

LOCAL BILLS

SB 46 - (Transylvania) Brevard ordinances. Passed.
SB 112 - (Orange) Hillsborough Historic District. Passed.
SB 133 - (Stanly) Albemarle land exchange. Passed.
SB 158 - (Montgomery) Biscoe realty sale. Passed.
SB 172 - (Rockingham) Bd. of Comm'rs' compensation. Received from Senate; sent to Salaries and Fees.
SB 207 - (Randolph) County Bd. of Education elections. Received from Senate; sent to Education.
HB 245 - (Lincoln) Lincolnton pension plan. Passed.
HB 318 - (Macon) Delinquent taxes. Passed.
HB 332 - (Avery) Crossnore Charter revision. Passed.
HB 355 - (Ashe) West Jefferson land sale. Passed.
HB 368 - (Avery) Officials' pay, duties. Passed.
HB 369 - (Duplin) Officials' pay. Passed.
HB 371 - (Duplin) Flood control funds. Passed.
HB 372 - (Duplin) County welfare building. Passed.
HB 373 - (Duplin) Homestead fees. Passed.
HB 374 - (Duplin) Sheriff prisoner feeding fee. Passed.

HB 413 - (New Hanover) Wilmington retirement. Passed.
HB 414 - (New Hanover) Wilmington pension trustees. Passed.
HB 415 - (New Hanover) Charter revisions. Passed.
HB 425 - (Robeson) Pembroke mayor salary. Passed.
HB 426 - (Robeson) Lumber Bridge elections. Passed.
HB 435 - (Stanly) Fireman's Ass'n lease. Passed.
HB 444 - (Anson) Welfare board per diem. Passed.

Next session of House: 12 noon, Tuesday, April 11, 1967.

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INSTITUTE OF GOVERNMENT

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 45

Tuesday, April 11, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 225 - Introduced by Evans and others
"To provide uniform and adequate pay for supervising teachers in the schools of North Carolina." [Appropriates to State Board of Education $800,250 for fiscal year 1967-68 and $857,500 for fiscal year 1968-69 to pay supervising teachers, assigned to intern student teachers, $100 for each student supervised if supervising teacher holds a bachelor's degree, and $125 if a graduate degree. Effective July 1, 1967.] To Appropriations.

SB 226 - Introduced by Currie
"Amending Section 54-21.2(a) and (b) of the General Statutes so as to permit investments for the purpose of making college and other educational loans and to make loans permitted by federal savings and loan associations." [Amends GS 54-21.2(a) by adding to authorized investments of building and loan or savings and loan ass'ns, the stock and obligations of any corporation doing business in State or agency of State or U.S. whose principal business is to make loans for financing college education and other educational loans; savings and loan ass'n investments therein limited to 1% of total outstanding loans of ass'n. Amends GS 54-21.2(b) by extending authority of savings and loan ass'ns to make any loan or investment permitted to be made by U.S. Congress, Federal Home Loan Bank Board and Federal Savings & Loan Insurance Corporation.]To Insurance.

SR 227 - (Joint Resolution) Introduced by Brumby and Warren
"Urging the schools and news media of North Carolina to promote anti-litter campaigns." [Identical with HR 488, digested in House section of today's Bulletin.] To Public Roads.

SB 228 - Introduced by Rauch and others
"To amend Chapter 160 of the General Statutes of North Carolina to provide for the acquisition of facilities of a secondary supplier by certain municipalities and under limited conditions." [Identical with HB 493, digested in the House section of today's bulletin.] To Public Utilities.

SB 229 - Introduced by Alford
"Amending General Statute 58-77, Subsection (9), pertaining to the amount of capital and surplus required by insurance companies doing business within the State so as to extend to July 1, 1971, the increase capital and surplus requirements of such companies." [As title indicates; extends from July 1, 1969 to July 1, 1971, the date by which insurance companies licensed to do business in NC must meet increase capital and surplus requirements spelled out by cited section. Identical with HB 497.] To Insurance.

SB 230 - Introduced by Alford
"To make available the services of an Assistant Attorney General for the Insurance Department, and to make appropriations therefor." [Authorizes Attorney General to appoint Assistant Attorney General, in addition to those now provided by law, to be assigned to Commissioner of Insurance and State Insurance Department; Ass't to perform such additional duties as may be assigned to him by the Attorney General. Appropriates $38,382.00 for 1967-69 biennium for salaries of Ass't ($26,000 total), Steno III ($11,232 total) and equipment ($1,150 for 1967-68). Effective July 1, 1967. Identical with HB 498.] To Insurance.

LOCAL BILLS INTRODUCED

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6. Reported favorably as amended. Amendments adopted making clarifying changes and other changes as follows: Permits possession and consumption of alcoholic beverages not in public view on other private property not open at time to general public, with express permission of possessor of property (not to permit possession or consumption in violation of GS 18-51(3), (4), and (5), restricting defined consumption). Limits storage of members' bottles to only those social, recreational, patriotic, and fraternal establishments "not for pecuniary profit". (Adds quoted words.) Provides for refunding of permit application fee in case permit refused (but retains provision that fee be retained if permit later suspended or revoked). Provides that annual renewal fees for permits shall be 25% of original permit fee (rather than equal to original fee). Removes provision making any violation of rule or regulation promulgated pursuant to GS 18-51 a misdemeanor. Adds license fee of $100 for social establishments having 100 members or less. Makes sale or gift of "beverages" per GS 18-64 or "alcoholic beverages" per GS 18-60 to minors unlawful only if done knowingly. Removes prohibition against minors' transportation of such beverages. Makes aiding or abetting minor in purchase of such beverages unlawful. Prohibits possession or consumption of alcoholic beverages, other than fortified or sweet wines, containing over 14% (House committee substitute-24%) alcohol by volume. Provides that permits shall not be issued in dry counties to restaurants (House committee substitute--to restaurants or for special occasions.)

HB 116 - Emergency police sharing (House committee substitute 4/6). Received from House sent to Judiciary 2.
HB 147 - Psychedelic drug amendments, as amended in House 3/22. Reported favorably
HB 148 - Seized drug evidence. Reported favorably.
HB 346 - Real estate license amendment. Received from House; sent to Judiciary 1.
HR 488 - (Joint Resolution) Anti-litter campaign. Received from House; sent to Public Roads.
HR 500 - (Joint Resolution) Memorializing Sanders. Received from House; passed second and third readings.

LOCAL BILLS

HB 245 - (Lincoln) Lincolnton pension plan. Received from House; sent to Counties, Cities and Towns.
HB 318 - (Macon) Delinquent taxes. Received from House; sent to Counties, Cities and Towns.
HB 332 - (Avery) Crossnore Charter revision. Received from House; sent to Counties, Cities and Towns.
HB 355 - (Ashe) West Jefferson land sale. Received from House; sent to Counties, Cities and Towns.
HB 368 - (Avery) Officials' pay, duties. Received from House; sent to Counties, Cities and Towns.
HB 369 - (Duplin) Officials' pay. Received from House; sent to Salaries and Fees.
HB 371 - (Duplin) Flood control funds. Received from House; sent to Counties, Cities and Towns.
HB 372 - (Duplin) County welfare building. Received from House; sent to Counties, Cities and Towns.
HB 373 - (Duplin) Homestead fees. Received from House; sent to Salaries and Fees.
HB 374 - (Duplin) Sheriff prisoner feeding fee. Received from House; sent to Salaries and Fees.
HB 413 - (New Hanover) Wilmington retirement. Received from House; sent to Counties, Cities and Towns.
HB 414 - (New Hanover) Wilmington pension trustees. Received from House; sent to Counties, Cities and Towns.
HB 415 - (New Hanover) Charter revisions. Received from House; sent to Counties, Cities and Towns.
HB 425 - (Robeson) Pembroke mayor salary. Received from House; sent to Counties, Cities and Towns.
HB 426 - (Robeson) Lumber Bridge elections. Received from House; sent to Counties, Cities and Towns.
HB 435 - (Stanly) Firemen's Ass'n lease. Received from House; sent to Counties, Cities and Towns.
HB 444 - (Anson) Welfare board per diem. Received from House; sent to Salaries and Fees.

BILLS RATIFIED

SB 46 - (Transylvania) Brevard ordinances. [Ch. 172]
SB 71 - Minor girls employment (Senate committee substitute, 3/16), as amended in Senate 3/23, and in House 4/6 and 4/7. [Ch. 173]
SB 79 - Beer makers shipments, as amended in Senate 3/17 and in House 4/6. [Ch. 162]
SB 112 - (Orange) Hillsborough Historic District. [Ch. 174]
SB 129 - (Robeson) Lumberton Library tax. [Ch. 163]
SB 133 - (Stanly) Albemarle land exchange. [Ch. 175]
SB 158 - (Montgomery) Biscoe realty sale. [Ch. 176]
SB 176 - North Carolina Arts Council. [Ch. 164]
SR 224 - (Joint Resolution) Nat'l Library Week. [R 35]
HB 52 - Governor reward increase, as amended in House 3/7. [Ch. 165]
HB 139 - (Cleveland) Shelby election personnel. [Ch. 166]
HB 235 - (Caswell) Appoint and salary employees. [Ch. 167]
HB 246 - (Richmond) Employees salaries. [Ch. 168]
HB 259 - (Graham) County salaries. [Ch. 169]
HB 284 - (Lee) Broadway salaries. [Ch. 170]
HB 288 - (Surry) Garbage removal licenses. [Ch. 177]
HB 325 - (Person) Roxboro P.O. lot. [Ch. 178]
HB 327 - (Beaufort) Tax listing. [Ch. 179]
HB 330 - (Mecklenburg) Courthouse definition. [Ch. 180]

HB 331 - (Mecklenburg) Charlotte firemen retirement. [Ch. 181]
HB 341 - (Sampson) Dog kennel tax. [Ch. 171]
HB 359 - (Union) Sheriff's workmen' comp. [Ch. 182]
HB 365 - (Lincoln) Garbage disposal. [Ch. 183]
HB 398 - (Nash) Bailey officials. [Ch. 184]
HB 411 - (Chatham) Siler City comm'r pay. [Ch. 185]

Next session of Senate: 12 noon, Wednesday, April 12, 1967.

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BULLETIN NO. 45
Tuesday, April 11, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 488 - (Joint Resolution) Introduced by Eagles
"Urging the schools and news media of North Carolina to promote anti-litter campaigns." [As title indicates. Identical with SR 227.] Passed three readings; sent to Senate.

HB 489 - Introduced by Horton
"For a supplemental appropriation to North Carolina State University to the use of the Agricultural Experiment Station at Clayton and the Agricultural Extension Service for the performance testing of swine." [Appropriates from General Fund to North Carolina State University $63,436 for fiscal year 1967-68 and $19,574 for fiscal year 1968-69 for expanding Central Crops Experiment Station at Clayton and performance testing of swine. Funds appropriated to be expended by Agricultural Experiment Station and by Agricultural Extension Service of NC State. Spells out specific amounts available at Experiment Station for capital improvements ($40,000 total) and increased operating expenses ($4,546 total); and specific amounts available to Extension Service for personnel ($31,064 total) and maintenance and operation ($7,400 total). Identical with SB 202, digested in Bulletin No. 40.] To Appropriations.

HB 493 - Introduced by High and Eagles
"To amend Chapter 160 of the General Statutes of North Carolina to provide for the acquisition of facilities of a secondary supplier by certain municipalities and under limited conditions." [Adds new GS 160-516.1 granting to municipalities owning and maintaining electric systems the right to acquire by eminent domain any or all of secondary supplier's facilities located within present or future municipal limits ("secondary supplier" now defined by GS 160-510 as retailer of electricity to consumers within municipal limits who is not a primary supplier -- defined, in turn, as including municipal systems and municipally franchised suppliers). Such eminent domain proceedings to be stayed if secondary supplier, within 20 days after filing of petition, files notice of objection with NC Utilities Comm'n (UC) and court. UC thereafter to expeditiously determine if acquisition would adversely affect public interest, basing its determination on adequacy and dependability of present and future systems; location of facilities; conditions of service; extent of curtailment or augmentation of systems; effects on revenues, finances, consumers and citizens; and other proper factors. UC finding that acquisition would not adversely affect public interest terminates proceeding before it; contrary finding deprives court of jurisdiction to further entertain acquisition proceeding. Act to supersede any conflicting provisions of GS 160-510 through 160-517 (electric service in municipal areas). Identical with SB 228.] To Public Utilities.

HB 494 - Introduced by Speed and Church
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes in Vance County." [Appropriates from General Fund to Department of Conservation and Development, Forestry Division, $2,737 for period commencing on ratification of act and ending June 30, 1968 and $2,737 for fiscal year 1968-69 for forest fire control purposes in Vance County and more particularly for salary and other expenses of an assistant county ranger for county.] To Appropriations.

HB 496 - Introduced by Johnson of Wake
"To prohibit the withholding of certain information necessary for service of subpoena upon law enforcement officers." [Adds GS 1-589.1 providing that when service of subpoena or other court process is sought to be made upon any State or local law enforcement officer it is unlawful for any personnel of agency employing the officer to withhold his address or telephone number.] To Judiciary 1.

HB 497 - Introduced by Ramsey of Person and others
"Amending General Statute 58-77, Subsection (9), pertaining to the amount of capital and surplus required by insurance companies doing business within the State so as to extend to July 1, 1971, the increase capital and surplus requirements of such companies." [Identical with SB 229, digested in the Senate section of today's bulletin.] To Insurance.

HB 498 - Introduced by Ramsey of Person
"To make available the services of an Assistant Attorney General for the Insurance Department, and to make appropriations therefor." [Identical with SB 230, digested in the Senate section of today's bulletin.] To Insurance.

HR 500 - (Joint Resolution) Introduced by Penny
"Honoring the life and memory of Richard T. Sanders." [As title indicates]. Passed three readings and sent to Senate.

LOCAL BILLS INTRODUCED -- HOUSE

HB 490 - (Pender) Introduced by Mills, Mohn, and Ragsdale
"To amend Chapter 829 of the Session Laws of 1963 relating to the corporate limits of the town of Surf City." [Amends Ch. 829, Sec. 3, S.L. 1963 (describing corporate limits of Surf City by metes and bounds) by adding additional territory, also described by metes and bounds.] To Counties, Cities and Towns.

HB 491 - (Alexander) Introduced by Kincaid
"To provide for the election of the Board of Education of Alexander County." [Provides for election of five member county board of education beginning with general election of 1968; members to be elected in non-partisan and at large, election conducted in accord with general election provisions of GS Ch. 163. Nomination to be by non-partisan filing procedure and payment of $10 fee to county board of elections. Terms to be for four years except for initial 1968 general election, where three candidates receiving highest votes to be elected for 4-year term and next two candidates to be elected for 2-year terms. Candidates elected to take office on first Monday in December after election. Vacancies in board membership to be filled by remaining members of board for unexpired term. All present members of board to continue in office until first Monday in December, 1968.] To Education.

HB 492 - (Caldwell) Introduced by Kincaid
"To provide for the election of the Board of Education of Caldwell County." [Provides for election of five member county board of education beginning with general election of 1968; members to be elected in non-partisan and at large election conducted in accord with general election provisions of GS Ch. 163. Nomination to be by non-partisan filing procedure and payment of $10 fee to county board of elections. Terms to be for four years except for initial 1968 general election, where three candidates receiving highest votes to be elected for 4-year term and next two candidates to be elected for 2-year terms. Candidates elected to take office on first Monday in December after election. Vacancies in board membership to be filled by remaining members of board for unexpired term. All present members of board to continue in office until first Monday in December, 1968.] To Education.

HB 495 - (Franklin) Introduced by Speed and Church
"Relating to the compensation of the members of the Franklin County Industrial Development Commission." [Provides that each member of named commission shall be paid per diem of $10 per meeting not to exceed 12 meetings in any one fiscal year.] To Counties, Cities and Towns.

HB 499 - (Orange) Introduced by Stanford
"To amend Chapter 278 of the Session Laws of 1965 relating to the control of the appearance of structures in certain districts of the Town of Chapel Hill." [Amends Chapel Hill Appearance Commission Act as follows: (1) Expands Comm'n membership to 7-15 members (now, 3-7); requires members to be residents of Chapel Hill planning area; reduces to three (now, majority) the number of members required to have design profession experience; adds provision that one member be chosen from list submitted by UNC Chancellor, and one member be chairman of community appearance committee of CH Planning Board; and eliminates provision that CH Planning Board officers may be designated to serve ex officio. (2) Adds authorization for town governing board to expand functions of Appearance Comm'n to include promoting community beautification; studying visual assets of community and suggesting design policies; preparing appearance plan for Chapel Hill and environs, including both private and public property. Enabling ordinance may include powers for Appearance Comm'n to request utility and building plans of all local and state public agencies, including UNC, Orange County and CH School District; to review and make recommendations on such plans; to recommend zoning and subdivision ordinance amendments to enhance community appearance; to enter private lands for surveys, with permission; to make recommendations to board of aldermen and others on implementing Comm'n powers; and to recommend needed staff, technical services and advisory committees to board of aldermen. (3) Requires annual report by Appearance Comm'n to board of aldermen, including budget requests. Authorizes receipt of contributions by Comm'n from federal, state and private sources, in addition to town appropriations.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 75 - Cancer Study Commission, as amended in Senate 3/16. Passed second and third readings.
SB 115 - Adjustment board alternates, as amended in Senate 3/20. Reported favorably as amended.
SB 117 - Headlight use hours, as amended in Senate 3/21, and in House 3/24. Amendment adopted changing effective date of act from "May 1, 1967" to "July 1, 1967". Floor amendment adopted to change hours when motor vehicle headlight use required from "sunset" to "one half hour after sunset" and from "sunrise" to "one half hour before sunrise". Floor amendment adopted to make act applicable to vehicles "driven" (now "operated") during established hours. Passed second reading.
SB 143 - Secret listening, as amended in Senate 3/24. Passed second and third readings.
SR 152 - (Joint Resolution) Full-year school study, as amended in Senate 3/10. Received from Senate; sent to Education.
SB 179 - Western Carolina Center. Passed second and third readings.
SB 201 - Interstate library compact. Passed second and third readings.

HB 159 - Ambulance services. Reported favorably as to Committee substitute. Committee substitute adopted substantially the same as HB 159 digested in Bulletin No. 18 except in these respects: (1) Adds an "Advisory Committee on Ambulance Service" composed of nine members, one each designated by the NC Funeral Directors Association, Inc., the Funeral

Directors and Morticians Association of NC, Inc., the NC Ambulance Association, Inc., the Medical Society of the State of NC, the NC Hospital Association, the American National Red Cross, the NC State Association of Rescue Squads, Inc., the NC Association of County Commissioners, and the NC League of Municipalities. Committee members to serve at pleasure of their respective organizations. Committee to assist State Board of Health in developing standards under act and is given approval control over regulations adopted by Board for certification of ambulance attendants. Committee also given approval control over deletions or additions by board to list of medical equipment and supplies specified by the "Minimal Equipment List for Ambulances and Dual Purposes Vehicles Serving as Ambulances;"as approved by the Committee on Trauma of the American College of Surgeons on January 14, 1961 with which every ambulance required to be equipped, (original bill empowered board to set such requirements for medical equipment and supplies as it determined). (2) Operation of ambulance without valid permit therefor or without certified attendant aboard as required by act shall constitute misdemeanor punishable by fine, imprisonment or both in discretion of court (original bill makes violation of act or any regulation adopted pursuant thereto a misdemeanor punishable by fine or imprisonment or both in discretion of court). (3) Board of commissioners of any county authorized (original bill, "authorized and directed") to provide, or cause to be provided, ambulance services in county upon determination that such services are not, or cannot be, provided by private enterprise therein. Board may levy a special property tax (original act authorized such a tax in addition to expenditure of nontax funds) to assure such adequate and continuing service. (4) Any ambulance operated by a county or municipality under authority of act shall be subject to ambulance and ambulance attendant regulatory requirements established by the act (new).

HB 188 - Injurious weapon assault. Passed third reading.
HB 189 - Homicidal weapon assault. Reported favorably.
HB 190 - Misdemeanor assault rewrite. Reported favorably as amended.
HB 214 - Joint tortfeasor contributions. Reported favorably as amended.
HB 390 - Hit-run jail term. Floor amendment adopted making technical change. Passed second and third readings.
HB 391 - Racer owner jail term. Passed second and third readings.
HB 392 - License revoked driving jail. Passed second and third readings.
HB 393 - School zone speeding jail term. Passed second and third readings.
HB 394 - Drunk driving jail term. Passed second and third readings.
HB 395 - Alternating auto numbers jail. Passed second and third readings.
HB 423 - Water heater labels. Reported favorably.
HB 432 - Interstate Library Compact. Postponed indefinitely.
HB 440 - A. G. men covered. Reported favorably.
HB 450 - Municipal elections changes. Reported favorably.
HR 488 - (Joint Resolution) Anti-litter campaign. Passed second and third readings.
HR 500 - (Joint Resolution) Memorializing Sanders. Passed second and third readings.

LOCAL BILLS

SB 178 - (Onslow) Special tax levy. Received from Senate; sent to Finance.
SB 188 - (Henderson) Sheriffs Dept. salaries. Passed third reading.
SB 217 - (Orange) Hillsborough, Mebane zoning. Received from Senate; sent to Counties, Cities and Towns.

HB 304 - (Rowan) Commissioner elections. Reported favorably as to Committee substitute. Committee substitute adopted to establish terms of 5-member Board of County Commissioners as follow: Five members elected in 1968 general election; two receiving highest vote to serve 4-year terms and three receiving next highest vote to serve 2-year terms. In 1970, and biennially thereafter, three commissioners to be elected, two receiving highest vote to serve 4-year terms and candidate receiving next highest vote to serve 2-year term. Original bill provided two candidates receiving highest vote in 1968 election to serve 4-year terms and three receiving next highest vote to serve 2-year terms; thereafter all commissioners elected to take place of members whose terms next expire and all to serve 4-year terms.

HB 370 - (Duplin) Special purpose taxes. Passed third reading.

HB 385 - (Buncombe) Asheville water elections. Reported unfavorably.

HB 408 - (Carteret) Emerald Isle boundaries. Passed third reading.

Next session of House: 12 noon, Wednesday, April 12, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 46

Wednesday, April 12, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 231 - (Joint Resolution) Introduced by Allsbrook
"Commemorating the Halifax Resolves of April 12, 1776, which authorized North Carolina delegates in the Continental Congress to vote for independence." [As title indicates. Identical with HR 507.] Passed three readings and sent to House.

SB 233 - Introduced by White of Cleveland and others
"To divide North Carolina into Congressional Districts." [Rewrites GS 160-103 (establishes US Congressional Districts) to redistrict for the purpose of nominating and electing NC Representatives to US Congress in 1968 and every two years thereafter. Provides for one Representative from each of eleven districts as follows:

District 1: Beaufort, Bertie, Camden, Carteret, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington.
District 2: Edgecombe, Franklin, Granville, Greene, Halifax, Lenoir, Nash, Vance, Warren and Wilson.
District 3: Duplin, Harnett, Johnston, Lee, Onslow, Pender, Sampson and Wayne.
District 4: Chatham, Durham, Montgomery, Moore, Randolph and Wake.
District 5: Davidson, Forsyth, Rockingham, Stokes and Surry.
District 6: Alamance, Caswell, Guilford, Orange, and Person.
District 7: Bladen, Brunswick, Columbus, Cumberland, Hoke, New Hanover and Robeson.
District 8: Anson, Mecklenburg, Richmond, Scotland and Union.
District 9: Alexander, Alleghany, Cabarrus, Caldwell, Davie, Iredell, Rowan, Stanly, Wilkes and Yadkin.
District 10: Burke, Catawba, Cleveland, Gaston, Lincoln, Polk and Rutherford.
District 11: Ashe, Avery, Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, Watauga and Yancey.

Present law (GS 163-103 as amended 1966) to remain in force until Jan. 1969, to govern filling of any vacancy occurring in term of office which ends in Jan.1969.] To Congressional Redistricting.

SB 238 - Introduced by Moore and MacLean
"To create the Executive Mansion Fine Arts Commission." [Identical with HB 501, digested in the House section of today's bulletin.] To State Government.

SB 239 - Introduced by Bailey

"To prescribe certain rights of individuals relative to obtaining feet care from practitioners of podiatry licensed by the State." [Amends GS 57-1 to include podiatrists among those whose services must be permitted to be freely chosen under "medical service plan" by one covered by plan. Purports to amend GS 28-260 (apparently intends GS 58-260) by including podiatrists among those who insureds must have freedom of choice if policy provides for payment of their services. Adds new GS 90-202.1 providing that no agency of state or local government nor any commission, clinic, or board administering relief, social security, health insurance or health service under laws of State may deny to recipients of their aid freedom to choose provider of care or service within scope of practice of duly licensed physician or podiatrist as defined in chapter. Nothing in act to be construed to equate podiatrists with physicians except that both must be duly licensed. Effective July 1, 1967.] To Insurance.

SB 240 - Introduced by Scott and others

"To appropriate funds to the State Board of Health for the development and expansion of programs for the mentally retarded." [Appropriates to State Board of Health from General Fund: (a) $144,096 for fiscal year 1967-68, and $132,432 for fiscal year 1968-69, for purpose of establishing, by contract or otherwise, a Medical Genetics Counselling Center to provide statewide services; (b) $100,000 for fiscal year 1967-68, and $120,000 for fiscal year 1968-69, for purpose of expansion of existing Developmental Evaluation Clinics across State; and (c) $63,000 for fiscal year 1967-68, and $126,000 for fiscal year 1968-69, for purpose of establishing additional Child Health Supervisory Clinics in various counties in State. Effective July 1, 1967. Identical with HB 525.] To Appropriations.

SB 241 - Introduced by Scott and others

"To appropriate funds to the Council on Mental Retardation." [Appropriates to North Carolina Council on Mental Retardation from General Fund for each of fiscal years 1967-68 and 1968-69 $40,848 for continuing service, salary, travel and equipment for two Planning Associates, eight half-time Local Coordinators, and one Stenographer II, and $43,548 for service, salary, travel and equipment for two additional State Coordinators, eight additional half-time Local Coordinators, and one Public Information Officer. Effective July 1, 1967. Identical with HB 522.] To Appropriations.

SB 242 - Introduced by Scott and others

"To appropriate funds to the State Board of Education for scholarships for training teachers of mentally retarded children." [Appropriates to State Board of Education from General Fund $200,000 for biennium July 1, 1967 to June 30, 1969, to be added to current fund for scholarship aid to students who wish to train for placement as teachers of mentally retarded children. Provides that students who are residents of North Carolina enrolled for school year in which aid is requested in an accredited college or university as undergraduate or graduate student may apply and be eligible for such scholarships, to be given to freshmen and sophomores as well as juniors, seniors, and graduate students. Board is to promulgate such additional rules and regulations as necessary in administering fund. Effective July 1, 1967. Identical with HB 524.] To Appropriations.

SB 243 - Introduced by Scott and others

"To provide a working student fund for Murdoch Center." [Appropriates from General Fund to Murdoch Center, at Butner, $9,360 for each of fiscal years 1967-68 and 1968-69 as title indicates. Effective July 1, 1967. Identical with HB 523.] To Appropriations.

SB 245 - Introduced by Gilmore
"To appropriate funds to the Department of Conservation and Development for the purchase of land and the operation of a mountain nursery in Avery County." [Appropriates to Department of Conservation and Development from General Fund, $100,000 for purchase of land in Avery County to be used for operation of a mountain nursery, and $104,966 for fiscal year 1967-68 and $182,318 for fiscal year 1968-69 for installing, maintaining and operating nursery.] To Conservation and Development.

LOCAL BILLS INTRODUCED -- SENATE

SB 232 - (Wilkes) Introduced by Bryan
"To authorize the Wilkes County Board of Education to convey certain lands to the Town of Wilkesboro." [As title indicates; authorizes conveyance without consideration and at private sale, of land described by metes and bounds.] To Local Government.

SB 234 - (Randolph) Introduced by Kemp and McLendon
"Relating to compensation of the Board of Aldermen of the City of Randleman." [Provides that Randleman aldermen may establish salary for members at not to exceed $250 per annum.] To Counties, Cities and Towns.

SB 235 - (Camden) Introduced by Wood
"To amend Chapter 31, Session Laws of 1963, to provide compensation of the members of the county board of commissioners of Camden County." [Amends cited act by raising daily compensation for members of board of county commissioners to $20 (now $15) and daily compensation for chairman to $25 (now $20). Authorizes board of county commissioners to pay increased compensation retroactive to December 1, 1966.] To Salaries and Fees.

SB 236 - (Camden) Introduced by Wood
"To fix the compensation of the Coroner of Camden County." [Provides that Camden coroner shall receive salary of $30 per month payable from general fund of county, and authorizes board of county commissioners to pay that compensation retroactive to Dec. 1, 1966.] To Salaries and Fees.

SB 237 - (Camden) Introduced by Wood
"To amend GS 153-48.5, so as to authorize the Board of County Commissioners of Camden County to fix compensation of county officials and employees." [Amends cited section to include Camden County among those counties to which Ch. 153, Art. 6A (authorizing boards of county commissioners to fix number and salaries of county employees) applies. Effective July 1, 1967.] To Salaries and Fees.

SB 244 - (Camden) Introduced by Wood
"To amend Chapter 312, Session Laws of 1965, authorizing an expense allowance for the Sheriff of Camden County." [Amends cited Act by making its provisions retroactive so as to authorize payment of $50 additional compensation beginning with December, 1966 and each succeeding month thereafter (now retroactive to authorize payment beginning with January, 1965). Authorizes board of county commissioners to increase, decrease or terminate said compensation in its discretion.] To Salaries and Fees.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6 and in Senate 4/11. Passed second reading. Placed on calendar 4/14.

SB 132 - State aid for airports. Reported favorably as amended. Re-referred to Appropriations.
SB 134 - Industrial development bonds. Reported favorably as amended. Re-referred to Appropriations.
SB 184 - Sanitary scallops. Reported favorably. Re-referred to Appropriations.
SB 199 - Savings and loan advisers. Reported favorably. Placed on calendar 4/14.
SB 209 - Hospital facility leasing. Withdrawn from Public Health; re-referred to Judiciary 2.
SR 221 - (Joint Resolution) Tobacco inspector pay hike. Reported favorably. Placed on calendar 4/14.
SB 226 - Educational loans. Reported favorably. Placed on calendar 4/14.
SB 230 - Assistant AG, Insurance Dept. Reported favorably. Re-referred to Appropriations.
SR 231 - (Joint Resolution) Commemorating Halifax Resolves. Passed second and third readings.

HB 45 - Personalized license plates (House committee substitute 3/29), as amended in House 3/30. Floor amendments adopted providing that one half of funds derived from sale of personalized license plates transferred to State Highway Commission shall be administered by SHC for beautification purposes not inconsistent with good landscaping and engineering principles (original bill, SHC to follow recommendations of advisory board); that Governor's Advisory Committee on Beautification shall act in advisory capacity to SHC making such recommendations to SHC concerning highway beautification as deemed appropriate (replacing section in original bill setting up a Highway Beautification Board); and that Commissioner shall not issue personalized license plate under this section to applicant with operator's or chauffeur's license revoked or suspended. Passed second reading. Placed on calendar 4/14.
HB 147 - Psychedelic drug amendments, as amended in House 3/22. Passed second and third readings.
HB 148 - Seized drug evidence. Passed second and third readings.
HB 175 - Sea turtle protection, as amended in House 3/30. Reported favorably. Placed on calendar 4/14.
HB 289 - Motorcycle definition, as amended in Senate 4/4. Reconsidered vote by which amendment passed. Floor amendment adopted excluding from definition of motorcycle any three-wheeled vehicles while being used by law enforcement agencies (original amendment excluded "vehicles used by law enforcement agencies"). Passed third reading.
HB 390 - Hit-run jail term, as amended in House 4/11. Received from House; sent to Judiciary 1.
HB 391 - Racer owner jail term. Received from House; sent to Judiciary 1.
HB 392 - License revoked driving jail. Received from House; sent to Judiciary 1.
HB 393 - School zone speeding jail term. Received from House; sent to Judiciary 1.
HB 394 - Drunk driving jail term. Received from House; sent to Judiciary 1.
HB 395 - Altering auto numbers jail. Received from House; sent to Judiciary 1.

LOCAL BILLS

HB 128 - (Caldwell) Medical examiner. Passed.
HB 370 - (Duplin) Special purpose taxes. Received from House; sent to Local Government.
HB 408 - (Carteret) Emerald Isle boundaries. Received from House; sent to Local Government.
HB 428 - (Cabarrus) ABC store elections. Passed.
HB 429 - (Cabarrus) Mount Pleasant ABC election. Passed.
HB 506 - (Wilson) Sunday closing law ballot. Received from House; sent to Local Government.

Next session of Senate: 7:45 a.m., Thursday, April 13, 1967.

BULLETIN NO. 46
Wednesday, April 12, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 501 - Introduced by Baugh
"To create the Executive Mansion Fine Arts Commission." [Creates Executive Mansion Fine Arts Commission of 16 members to be appointed by Governor by July 1, 1967. Four members to serve for one year; four for two years; four for three years; and four for four years. Successors to be appointed for four years. Commission Chairman to be appointed by Governor; any public officer appointed to serve as ex-officio member. Commission is to: (1) preserve and maintain Executive Mansion as structure of historical significance; (2) improve furnishings of Mansion by encouraging gifts and to approve major changes in furnishings; (3) recommend to Dept. of Administration major renovations; (4) keep list of gifts received together with their history and value with assistance of State Dept. of Archives and History when necessary and requested; and (5) publicize Commission's work. Commission is empowered to receive gifts and contributions with title vested in State, and loans of furniture and other objects. Commission may employ clerical assistance if salary is paid out of funds it has received other than State funds. Funds received to be spent as Commission deems appropriate with account of receipts and expenditures; State Auditor to audit Commission books at least annually and to report to Governor. Commission members not to receive per diem, travel or expense allowance or compensation from State funds but Commission funds may be so spent if deemed appropriate. All unexpended funds and assets of existing Executive Mansion Fine Arts Committee to be transferred to this Commission and Act not to be construed as divesting Dept. of Admin. of any authority relating to budget or operation and maintenance of Executive Mansion.] To State Government.

HB 503 - Introduced by Britt of Johnston
"To amend the provisions of the General Statutes relating to marriage licenses." [Amends GS 51-2 (relating to capacity to marry) to provide for marriage by special license subject to proper consent of parents or person legally standing in place of parent, of pregnant, unmarried female 12 to 18 years old (now, 12 to 16) and agreeing putative father. Amends 51-8 provision for issuance of special license by register of deeds (now, type of license not specified) when party to proposed marriage is under 18 years of age, and eliminates from section details concerning consent of parent or guardian.] To Judiciary 2.

HB 504 - Introduced by Britt of Johnston
"To amend G.S. 8-3, with regard to the proof of laws of other states." [Amends cited section by rewriting last sentence (now permits exhibit of copy of law of another state, territory, or foreign county as proof of such law when NC Secretary of State has certified as having been copied from printed volume of laws of such state, territory or country on file in State or Supreme Court library or in offices of Governor or Secretary of State) to permit exhibit of foreign law when copied from printed volume of laws of such state, territory, or country on file in: (1) Governor's or Secretary of State's office and duly certified by Secretary of State; (2) State Library and certified by State Librarian as provided in GS 125-6; or (3) Supreme Court Library and certified as provided in GS 7A-13(f). Effective July 1, 1968.] To Judiciary 2.

HB 505 - Introduced by Britt of Johnston
"To amend the Fiduciary Powers Act to make the authority of the fiduciary to apportion and allocate receipts and expenses subject to the Uniform Principal and Income Act." [Amends GS 32-27(29) to make fiduciary's powers (therein

specified) to apportion and allocate receipts and expenses, applicable only where not otherwise provided by Uniform Principal and Income Act as contained in GS Ch. 37. Effective Oct. 1, 1967.] To Judiciary 2.

HR 507 - (Joint Resolution) Introduced by Gregory

"Commemorating the Halifax Resolves of April 12, 1776, which authorized North Carolina Delegates in the Continental Congress to vote for independence." [Identical with SR 231, digested in the Senate section of today's bulletin.] Passed three readings and sent to Senate.

HB 508 - Introduced by Hege and Whicker

"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes in Davidson County." [Appropriates $2,916 from General Fund to Department of Conservation and Development for each of fiscal years 1967-68, and 1968-69, for forest fire control purposes in Davidson County and more particularly for salary and other expenses of an assistant county ranger for county. Effective July 1, 1967.] To Appropriations.

HB 510 - Introduced by Johnson of Wake

"To amend GS 160-100 to provide alternative methods of maintaining records of special assessments." [Adds to cited section (relating to preparation of municipal assessment books) provision for storing and maintaining special assessment records by use of ledger-type, machine or similar cards, or magnetic or other recording tape, or on or in any machine, device or system designed for and capable of accurate storage and retrieval of information as an alternative to present "Special Assessment Book" method. Information stored by alternative method available in writing to any person upon request. Validates any existing municipal use of methods for recording and storing information provided by Act.] To Judiciary 1.

HB 512 - Introduced by Sugg

"To amend Chapter 48 of the General Statutes to add certain provisions relating to the adoption of a child by his grandparents and relating to the adoption of an out-of-wedlock child by his putative father." [Adds to GS 48-4 provision that if putative father of child born out of wedlock, or putative father and spouse, petition to adopt child and petition affirms by affidavit that male petitioner is (believed to be) the father and that child was born out of wedlock, petitioners must reside in NC or on federal territory in NC when petition filed (now, generally one year residence required). Makes conforming amendments to GS 48-24(b) concerning affidavit noted above. Amends GS 48-4(c) effective Jan. 1, 1967 to except from one-year residence requirement, and to merely require residence, in cases where adoption petition is filed by grandparent. Amends GS 48-21(c) to permit waiver of interlocutory decree and probationary period for adoption when adoption petitioner is putative father. Amends GS 48-23(2) to provide that section shall not affect rights and duties of putative father adopting his own child (cited subdivision provides that natural parents of adopted child are relieved of legal duties to adopted person upon entry of adoption order). Effective July 1, 1967, except as specifically provided otherwise.] To Judiciary 1.

HB 513 - Introduced by Messer

"To remove the limitation as to working hours of girls employed in motion picture theaters." [Amends GS 110-2 to delete provision that girls between ages of 17 and 18 may be employed as ticket takers, concession attendants, and cashiers in motion picture theaters up to 10:30 p.m. under rules and regulations of Commissioner of Labor.] To Manufacturers and Labor.

HB 515 - Introduced by Baugh

"To amend Section 164-13(16) of Chapter 105 of the General Statutes of North Carolina pertaining to the treatment of articles taken in trade in calculating the North Carolina sales and use tax." [Rewrites GS 105-164.13(16) to provide that sales and use taxes shall be computed and paid on net difference between sales price of article sold and any credit given when an item of tangible personal property is taken in trade as credit or part payment on sale of new or used articles (now, tax levied and paid on gross sales price of new article with sale of used articles, taken in trade as credit or part payment on sale, exempted from sales and use tax). Second-hand or traded article subject to tax when resold; sales tax due on traded article when resold to be based upon resale price or trade-in allowance, whichever is greater. Articles repossessed and resold by vendor to be exempt from tax only if tax paid on gross sales price of new article. Effective July 1, 1967.] To Finance.

HB 518 - Introduced by Jernigan

"To appropriate $120,000 to the Department of Conservation and Development for an aeromagnetic survey of the Carolina slate belt in cooperation with the Geological Survey of the United States Department of the Interior." [Appropriates from General Fund to Department of Conservation and Development $60,000 for each of fiscal years 1967-68 and 1968-69, for use by C&D Mineral Resources Division as matching funds, by contract, for US Geological Survey outlay for purpose of aeromagnetic survey of Carolina Slate belt of NC during 1967-69 biennium.] To Appropriations.

HB 519 - Introduced by Jernigan

"To appropriate $525,000 to the Department of Conservation and Development for topographic mapping of North Carolina in cooperation with Geological Survey of the United States Department of the Interior." [Appropriates from General Fund to Dep't of C&D $175,000 for fiscal year July 1, 1967 to June 30, 1968 and $350,000 for fiscal year 1968-69, for use of Mineral Resources Division to be matched by equal sum from US Geological Survey, to contract with Geological Survey to produce 7-1/2 minute maps of areas of State during 1967-69 biennium. Provides that Governor shall appoint an advisory committee composed of representatives interested State agencies and departments, to recommend to C&D and Department of Interior priority to be given to survey and mapping of various areas of State.] To Appropriations.

HB 520 - Introduced by Jernigan

"To appropriate funds to the Department of Conservation and Development for the purchase of land and the operation of a mountain nursery in Avery County." [Identical with SB 245, digested in the Senate section of today's bulletin.] To Appropriations.

HB 521 - Introduced by Jernigan

"To appropriate funds to the Department of Conservation and Development for the purchase of land in Burke County." [Appropriates from General Fund $50,400 for purpose indicated in title; land to be used for nursery purposes. Identical with SB 213, digested in Bulletin No. 42.] To Appropriations.

HB 522 - Introduced by Euliss and Pickard

"To appropriate funds to the Council on Mental Retardation." [Identical with SB 241, digested in the Senate section of today's bulletin.] To Appropriations.

HB 523 - Introduced by Euliss and Pickard

"To provide a Working Student Fund for Murdoch Center." [Identical with SB 243, digested in the Senate section of today's bulletin.] To Appropriations.

HB 524 - Introduced by Euliss and Pickard
"To appropriate funds to the State Board of Education for scholarships for training teachers of mentally retarded children." [Identical with SB 242, digested in the Senate section of today's bulletin.] To Appropriations.

HB 525 - Introduced by Euliss and Pickard
"To appropriate funds to the State Board of Health for the development and expansion of programs for the mentally retarded." [Identical with SB 240, digested in the Senate section of today's bulletin.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 502 - (Davie) Introduced by Boger
"To amend Chapter 109 of the Session Laws of 1963 for the purpose of making the same applicable to Davie County." [Amends cited statute to authorize watershed improvement districts in Davie County, and county for county watershed program, to condemn land needed to carry out watershed improvement programs. (Cited Act now applies to Rowan County.) Repeals SL 1961, Ch. 794 as it applies to Davie (authorizes limited condemnation for watershed purposes, after 75% of tracts voluntarily acquired.)] To Local Government.

HB 506 - (Wilson) Introduced by Paschall
"To amend Chapter 78, Session Laws of 1967, relating to voting on a Sunday closing ordinance in the City of Wilson." [Amends HB 165, ratified on March 22, by requiring each voter to be furnished a ballot for election on Sunday closing, and setting out form of ballot.] Passed three readings and sent to Senate.

HB 509 - (Cabarrus) Introduced by Quinn
"To amend GS 9-4, relating to the drawing of jurors in Cabarrus County." [Rewrites cited section (local modifications as to drawing jury panels) to provide for annual draw by county commissioners of 70 (now, 60) jurors for first week in Jan. session of Superior Court, and up to 48 (now, 36) jurors for each Superior Court criminal or civil session during year.] To Courts and Judicial Districts.

HB 511 - (Craven) Introduced by Sugg, Godwin, and Taylor
"To amend Chapter 185, Private Laws of 1929, relating to the taxing authority of the Town of Vanceboro, in Craven County." [Amends Vanceboro Town Charter to eliminate charter restriction of $1.25 per $100 valuation on town property tax, and to make such tax subject to general law limits of GS 160-402 (now $1.50 per $100).] To Counties, Cities and Towns.

HB 514 - (Surry) Introduced by Merritt
"To establish a supplementary pension fund for firemen in the Town of Mt. Airy." [Establishes Mt. Airy Firemen's Supplementary Pension Fund (SPF), to be administered by board of trustees composed of town treasurer, assistant fire chief, and member elected annually from fire dep't by chief and dep't members; moneys in town firemen's relief fund in excess of $5,000 to be transferred to SPF; $5,000 balance to be maintained in relief fund, and legitimate accruing claims against relief fund to be met therefrom or from moneys retrieved from SPF. Provides for present or future members of town fire dep't to be eligible for SPF benefits until retired under Local Governmental Employees' Retirement Fund; pensions payable in amounts ranging from $18 to $25 monthly to members aged 55 to 60 with 30 years service, and up to $30 maximum for years of service after age 60 through age 65. Makes town treasurer the treasurer and custodian of SPF; requires treasurer to give specified bond; and authroizes him to invest excess funds in securities selected by trustees eligible as trustee or guardian legals. Authorizes SPF trustees to receive gifts. Makes GS Ch. 118 provisions

on firemen's relief fund inapplicable to Mt. Airy.] To Local Government.

HB 516 - (Northampton) Introduced by Jernigan and Burden
"To amend Chapter 509, Session Laws of 1965, so as to authorize the taking of game from public highways in Gaston Township in Northampton County." [Permits taking of game in Gaston Township of Northampton County with shotgun (Act now prohibits such taking of game by firearms from public highways throughout county).] To Wildlife Resources.

HB 517 - (Hertford) Introduced by Jernigan and Burden
"To amend Chapter 504, Session Laws of 1965, so as to authorize the Town of Murfreesboro to designate and protect historic buildings and districts." [Adds Murfreesboro to cited section (authorizing municipalities to designate and protect historical districts).] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 3 - **Continuing teacher contract. Reported favorably.**
SB 115 - Adjustment board alternates, as amended in Senate 3/20. Amendment adopted making technical change. Passed second and third readings.
SB 117 - Headlight use hours, as amended in Senate 3/21, and in House 3/24 and 4/11. Postponed to 4/14.
SB 147 - Rear view mirrors. Postponed to 4/14.
SB 187 - Provisional license suspension. Reported favorably.

HB 67 - Property exemption for elderly. Reported unfavorably.
HB 159 - Ambulance services (House committee substitute 4/11). Postponed to 4/14.
HB 188 - Injurious weapon assault. Passed second and third readings.
HB 189 - Homicidal weapon assault. Passed second and third readings.
HB 190 - Misdemeanor assault rewrite. Amendment adopted deleting provision of original bill making assault without a deadly weapon upon a public officer in discharge of duty a misdemeanor. Passed second and third readings.
HB 209 - Brown bagging II. Reported unfavorably.
HB 214 - Joint tortfeasors contributions. Amended to provide that release or covenant not to sue one or more joint tortfeasors reduces claim against remaining tortfeasors to extent stipulated by release or covenant. (Original bill, reduced liability of remaining tortfeasors to extent of pro rata share of tortfeasor receiving release or covenant.) Passed second and third readings.
HB 282 - Halifax Community College. Re-referred to Appropriations.
HB 317 - Vance extension unit. Re-referred to Appropriations.
HB 423 - Water heater labels. Passed second and third readings.
HB 440 - A. G. men covered. Passed second and third readings.
HB 450 - Municipal elections changes. Postponed to 4/14.
HR 463 - (Joint Resolution) Tobacco inspector pay hike. Reported favorably.
HR 507 - (Joint Resolution) Commemorating Halifax Resolves. Passed second and third readings.

LOCAL BILLS

HB 304 - (Rowan) Commissioner elections (House committee substitute 4/11). Passed.
HB 339 - (Currituck) Deputy sheriffs and collectors. Reported unfavorably.
HB 447 - (Beaufort) Mosquito control. Passed.
HB 455 - (Anson) Consolidated county schools. Reported favorably as amended.
HB 479 - (Burke) Morganton tax lien bar. Passed.
HB 480 - (Burke) Morganton late tax penalties. Passed.

HB 482 - (Catawba) Highways, no shooting. Passed.
HB 484 - (Forsyth) County officials compensation. Passed.
HB 485 - (Forsyth) Local development funds. Passed.
HB 486 - (Forsyth) Improvement assessments. Passed.
HB 506 - (Wilson) Sunday closing-law ballot. Passed.

BILLS RATIFIED

SB 75 - Cancer Study Commission, as amended in Senate 3/16. [Ch. 186]
SB 143 - Secret listening, as amended in Senate 3/24. [Ch. 187]
SB 179 - Western Carolina Center. [Ch. 188]
SB 188 - (Henderson) Sheriffs Dept. salaries. [Ch. 189]
SB 201 - Interstate library compact. [Ch. 190]
HB 404 - (Chowan) Edenton utilities referendum. [Ch. 191]
HR 500 - (Joint Resolution) Memorializing Sanders. [R 36]

Next session of House: 7:45 a.m., Thursday, April 13, 1967.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 47

Thursday, April 13, 1967

Session: Senate -- 7:45 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

None

LOCAL BILLS INTRODUCED -- SENATE

SB 246 - (Robeson) Introduced by MacLean
"To amend Chapter 569, Session Laws of 1947, relating to the operation of pool rooms in Robeson County on Sunday, so as to exclude the city of Lumberton therefrom." [Exempts Lumberton from cited statute which prohibits the Sunday operation of pool rooms in Robeson County.] To Local Government.

SB 247 - (Union) Introduced by Griffin
"To authorize the town of Waxhaw to sell certain real estate at private sale." [Authorizes Waxhaw Board of Commissioners to sell and convey three tracts of land (described by metes and bounds) at private sale. Makes sale and conveyance subject to GS 160-61.1, which authorizes conveyance by warranty deed and relieves members of board of any personal liability.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6, and in Senate 4/11. Reconsidered vote by which bill passed second reading. Reconsidered votes by which the following amendments were adopted: Amendment 2, p. 2, line 21 (This amendment inserted in the definition of "social establishments" the qualification that establishments not be operated for pecuniary profit.) Amendment 3, p. 2, line 12 (This amendment permitted possession and consumption of alcoholic beverages not in public view on certain private property with owners consent.) Amendment 9, p. 8, lines 2-3 (This amendment, contrary to the provisions of the House committee substitute, made permit fees refundable in case a permit is refused.) Amendment 12, p. 8, lines 10-11 (This amendment added a $100 permit fee for social establishments having 100 members or less; the House committee substitute contains a flat $200 fee for social establishments regardless of size.) Adopted new amendment permitting a person to possess and consume alcoholic beverages, not in view of general public and on private property not open to general public with permission of owner or possessor, if beverages are consumed

by such person or his family or bona fide guests; amendment not to permit possession or consumption restricted by paragraphs (3), (4) or (5) of new GS 18-51.

SB 115 - Adjustment board alternates, as amended in Senate 3/20 and in House 4/12. Received for concurrence in House amendment; concurred.

HB 188 - Injurious weapon assault. Received from House; sent to Judiciary 2.
HB 189 - Homicidal weapon assault. Received from House; sent to Judiciary 2.
HB 190 - Misdemeanor assault rewrite. Received from House; sent to Judiciary 2.
HB 214 - Joint tortfeasors contributions. Received from House; sent to Judiciary 1.
HB 423 - Water heater labels. Received from House; sent to Judiciary 2.
HB 440 - A.G. men covered. Received from House; sent to State Government.
HR 507 - (Joint Resolution) Commemorating Halifax Resolves. Received from House; passed second and third readings.

LOCAL BILLS

HB 304 - (Rowan) Commissioner elections (House committee substitute 4/11). Received from House; sent to Counties, Cities and Towns.
HB 479 - (Burke) Morganton tax lien bar. Received from House; sent to Counties, Cities and Towns.
HB 480 - (Burke) Morganton late tax penalties. Received from House; sent to Counties, Cities and Towns.
HB 482 - (Catawba) Highways, no shooting. Received from House; sent to Judiciary 2.
HB 484 - (Forsyth) County officials compensation. Received from House; sent to Salaries and Fees.
HB 485 - (Forsyth) Local development funds. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: 10:00 a.m., Friday, April 14, 1967.

BULLETIN NO. 47
Thursday, April 13, 1967

Session: House -- 7:45 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

None

LOCAL BILLS INTRODUCED -- HOUSE

None

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 181 - Cotton Promotion vote. Reported favorably on April 12.
SB 187 - Provisional license suspension. Incorrectly cited as reported favorably on April 12. (SB 187 is in the Senate committee on Public Roads.)

LOCAL BILLS

HB 252 - (Bladen) Elected board of education. Passed.
HB 340 - (Currituck) Tax collector. Passed.
HB 438 - (Catawba) ABC Board powers. Passed.
HB 449 - (Bertie) School board land sale. Passed.
HB 455 - (Anson) Consolidated county schools. Technical amendment adopted. Passed.
HB 460 - (Person) Delinquent tax transfer. Passed.
HB 470 - (Rutherford) Forest City band funds. Passed.
HB 472 - (Currituck) Deputy official comp. & app't. Passed.
HB 483 - (Richmond) Specifying approval dates. Passed.

Next session of House: 9:30 a.m., Friday, April 14, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 48

Friday, April 14, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 251 - Introduced by Rauch and others
"To establish pilot pre-school programs for deaf children." [Establishes Pilot Pre-School Program for deaf children in Gastonia and Raleigh for purpose of giving pre-school training to deaf children ages two through five. Pilot program in Gastonia to operate as an extension of North Carolina School for Deaf at Morganton and to serve Gaston and adjoining counties and pilot program in Raleigh to operate as an extension of Eastern North Carolina School for Deaf at Wilson and to serve Wake and adjoining counties. Pilot programs subject to rules and regulations of Directors of Schools for Deaf as set out in GS Ch. 115, Art. 41. Subjects to include speech, lipreading, auditory training and adjustment, as well as general communication. Appropriates from Genreal Fund for 1967-69 biennium $152,382.10 for each pilot school with sum to be expended for salaries of a director and teachers, teachers' aids, custodial and clerical services, supplies, equipment, etc.] To Education.

SB 252 - Introduced by Gilmore
"To provide for the continuance of the North Carolina Commission of the Education and Employment of Women." [Identical with HB 528, digested in the House section of today's Bulletin.] To State Government.

SB 254 - Introduced by Wood
"To amend the State Personnel Act to add a clear statement of the individual right of the employee to participate in the political life of our State on his own time, while prohibiting any improper use of the time or influence of any employee or official to persuade or coerce political support or action." [Amends GS Ch. 126 (Merit System Council) by adding new Art. 5 entitled "Political Activity of Employees" providing as follows: prohibits employee subject to Personnel Act (Act) from taking active part in managing political campaign or otherwise engaging in political activity while on duty or during time when he is expected to perform services for which he is paid by State; prohibits such employee from using authority of position or utilizing state funds, supplies or vehicles to support or oppose any candidate, party or issue in partisan election involving candidates for office or party nomination; prohibits State employee or official from using promises of reward or threat of loss to encourage or coerce employee subject to Act to support or contribute to any political issue, candidate, or party; makes violation of Article grounds for disciplinary action or in case of deliberate or repeated violation, dismissal or removal from office. Effective July 1, 1967.] To State Government.

SB 248 - (Robeson) Introduced by MacLean

"To ratify and confirm the organization and creation of Robeson County Drainage District Number One and make it subject to Subchapter III, Chapter 156 of the General Statutes of North Carolina." [Confirms and ratifies organization and creation of Robeson County Drainage District Number One (District) and declares it to be an existing drainage district with all powers and privileges provided by GS 156, Subchapter III (Drainage Districts). Confirms and ratifies boundaries, rights of way and easements of District and declares District to be owner of land upon which existing canals and improvements are located (from outer edge of existing spoil bank to outer edge of spoil bank on opposite side of canal, or to point ten feet beyond opposite edge of canal if no spoil bank) if width of rights of way and easements cannot be determined from organizational proceedings before CSC.] To Local Government.

SB 249 - (Robeson) Introduced by MacLean

"To make GS 153-152, relating to the county poor, applicable to Robeson County." [Makes GS 153-152 (authorizing board of commissioners of each county to provide by taxation for maintenance of poor and to do everything expedient for their comfort and well being) applicable to Robeson County.] To Local Government.

SB 250 - (Gaston) Introduced by Rauch

"Amending G.S. 143-135 relating to the letting of public contracts by the City of Gastonia." [Amends GS 143-135 (limiting application of Art. 8 with respect to public building contracts so that it does not apply in expenditure of public funds when total cost of any repairs, completed project, building, or structure, does not exceed sum of $15,000) by limiting application of Art. 8 so that it does not apply to Gastonia, in discretion of city council, when total costs of any repairs, completed project, etc. does not exceed $50,000).] To Counties, Cities and Towns.

SB 253 - (Robeson) Introduced by MacLean

"To amend Chapter 282, Session Laws of 1965 and Chapter 115, Session Laws of 1963, the same being the charter of the City of Lumberton." [Amends cited charter to delete requirement that councilman from each precinct be elected by voters of Lumberton at large and substitutes requirement that they be elected by voters of ward in which they reside and to delete form of ballot prescribed by cited 1965 and 1963 Session Laws as relates to city-wide election of councilmen. Establishes by metes and bounds description eight precincts or election wards, not to be changed except by act of General Assembly unless city limits are extended, in which case Board of Elections shall enlarge nearest ward so as to include annexed area. Provides that councilman selected by Council to fill vacancy for unexpired term or during disability shall be resident of ward in which vacancy or disability occurs. Provides that notice of candidacy for councilman to specify ward or precinct for which candidate is filing. Deletes provision that no ballot cast in election for City Council shall be counted if voter failed to vote for as many candidates as there are vacancies to be filled. Provides that candidates for Councilman from each ward receiving highest number of votes of those running from that ward shall be declared elected (now, "receiving the highest number of votes for each of the positions of Councilman with respect to each ward shall be declared elected Councilmen of the City at large.")] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6, and in Senate 4/11 and 4/13. Passed second reading.
SB 168 - Uniform Jury Commission. Reported favorably as amended.
SB 199 - Savings and loan advisors. Floor amendment adopted deleting power of Governor to remove his appointees from Board. Passed second and third readings.
SR 221 - (Joint Resolution) Tobacco inspector pay hike. Passed second and third readings.
SB 226 - Educational loans. Passed second and third readings.

HB 45 - Personalized license plates (House committee substitute 3/29), as amended in House 3/30 and 4/12. Passed third reading.
HB 175 - Sea turtle protection, as amended in House 3/30. Passed second and third readings.
HR 527 - (Joint Resolution) Memorializing Ferree. Received from House; passed second and third readings.

LOCAL BILLS

HB 245 - (Lincoln) Lincolnton pension plan. Passed.
HB 252 - (Bladen) Elected board of education. Received from House; sent to Education.
HB 271 - (Bladen) White Lake elections, as amended in House 4/6. Passed.
HB 315 - (Caswell) Homestead appraisers. Passed.
HB 336 - (Washington) Plymouth elections. Passed.
HB 340 - (Currituck) Tax collector. Received from House; sent to Counties, Cities and Towns.
HB 355 - (Ashe) West Jefferson land sale. Passed.
HB 371 - (Duplin) Flood control funds. Passed.
HB 372 - (Duplin) County welfare building. Passed.
HB 405 - (Caswell) Milton officials' terms. Passed.
HB 431 - (Graham) Fontana Village security. Passed.
HB 435 - (Stanly) Fireman's Ass'n lease. Passed.
HB 436 - (Wilson) Wilson rec. commission terms. Passed.
HB 437 - (Mecklenburg) Charlotte realty powers. Amendment adopted providing that nothing in Act to be construed to enlarge power of City to condemn property already devoted to public use. Passed.
HB 438 - (Catawba) ABC Board powers. Received from House; sent to Propositions and Grievances.
HB 449 - (Bertie) School board land sale. Received from House; sent to Counties, Cities and Towns.
HB 455 - (Anson) Consolidated county schools as amended in House 4/13. Received from House; sent to Education.
HB 460 - (Person) Delinquent tax transfer. Received from House; sent to Counties, Cities and Towns.
HB 470 - (Rutherford) Forest City band funds. Received from House; sent to Counties, Cities and Towns.
HB 472 - (Currituck) Deputy official comp. & app't. Received from House; sent to Counties, Cities and Towns.
HB 483 - (Richmond) Specifying approval dates. Received from House; sent to Counties, Cities and Towns.
HB 506 - (Wilson) Sunday closing law ballet. Passed.

Next session of Senate: 9:00 a.m., Saturday, April 15, 1967, for consideration of local bills only.
8:00 p.m., Monday, April 17, 1967.

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BULLETIN NO. 48
Friday, April 14, 1967

Session: House -- 9;30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 527 - (Joint Resolution) Introduced by Garner
"Relative to the death of the Honorable Arris Idly Ferree, former Representative from Randolph County." [As title indicates.] Passed three readings and sent to Senate.

HB 528 - Introduced by Chase
"To provide for the continuance of the North Carolina Commission on the Education and Employment of Women." [Continues North Carolina Commission on the Education and Employment of Women (created bySL 1965, Ch. 1034) to be composed of seven members appointed by Governor (original commission had seven members appointed as follows: three by Governor, two by President of Senate, two by Speaker of House.). Four members to be appointed for initial term of one year and three for two years with all to be appointed for 2-year terms thereafter. Members to serve without pay but to receive same subsistence and travel expenses as other State boards and commissions which shall be paid out of State Contingency and Emergency Fund. Commission to elect chairman and vice chairman from membership and make own rules and shall report to each session of General Assembly as to its findings and recommendations and shall meet, study, plan and advise with Governor and departments of the State.Identical with SB 252.] To State Government.

HB 529 - Introduced by Mills of Anson
"To amend Article IV of the Constitution of North Carolina to authorize the General Assembly to prescribe legal training as a requirement for the office of judge of the General Court of Justice." [Proposes amendment to State Constitution to add provision that notwithstanding Art. VI of Constitution (providing generally that qualified voters are eligible to hold office) General Assembly shall prescribe that judges of General Court of Justice shall be licensed attorneys. Amendment to be subject to approval by majority of votes cast on the question by qualified voters of State, on ballots of a prescribed form, at next general election held in State.] To Constitutional Amendments.

HB 531 - Introduced by Hill
"To provide for the filling of vacancies in the office of District Judge." [Rewrites GS 7A-142 to provide that a vacancy in office of district judge shall be filled for unexpired term by appointment of Governor (now, Governor empowered to fill such vacancies from nominations submitted by bar of judicial district except that in event district bar fails to submit nominations within two weeks from date vacancy occurs, Governor may fill it without waiting for such nominations).] To Courts and Judicial Districts.

HB 532 - Introduced by Merritt and Exum
"To amend Sections 131-126.33, 131-126.34, 131-126.36 and 131-126.37 of Article 13C of Chapter 131 of the General Statutes of North Carolina to authorize the issuance of additional bonds, limit the time within which bonds may be issued and authorize the issuance of bond anticipation notes by a hospital district." [(1) Amends GS 131-126.33 to provide that a hospital district created under Art. 13C (Creation of hospital districts with authority to issue bonds and levy taxes) may, by following same petition and ballot procedures prescribed by section for initial bond elections by such districts, have submitted to a special election the question of issuing additional bonds on behalf

of such district for purpose of paying all or a part of cost of planning and acquiring, constructing, improving, or equipping any type of hospital, clinic or public health center, including related facilities. (2) Amends GS 131-126.34 to delete reference to canvass of votes in regard to issuance of "notes" by hospital districts (power of hospital districts to issue "notes" under referendum and election procedures was deleted from GS 131-126.33 by SL 1953, Ch. 1045). (3) Amends GS 131-126.36 to limit the time during which authorized hospital bonds may be issued in one or more issues to a time within five years after the date of election held on question of issuing said bonds (now, no time limitation). (4) Amends GS 131-126.36 to provide that after issuance of bonds has been approved at election, negotiable bond anticipation notes may be issued for hospital district, upon passage of resolution by county board of commissioners, to raise money for purpose for which bonds authorized and within maximum authorized amount of bonds. Such loans may be renewed but must be paid not later than five years after date of bond election and board may retire any such loan by means of current revenues or other funds, in lieu of retiring them by means of bonds; provided that any non-bond retirement shall reduce authorized bond issue by amount of loan so retired. Board shall fix by resolution (or delegate such power by resolution) actual or maximum face amount of bond anticipation notes and their interest rate at not to exceed maximum permitted by law. Bond anticipation notes may be disposed of by public or private negotiations as provided in Local Government Act and must be executed in manner provided in GS 131-126.36 for bonds and must be approved and endorsed by attorney for hospital district before issuance. (5) Amends GS 131-126.37 to provide that county board shall levy an annual special ad valorem tax on taxable property in hospital district for payment of principal and interest on bond anticipation notes (now, such tax shall be levied only for payment of principal and interest on bonds).] To Finance.

HB 533 - Introduced by Gunn

"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes in Caswell County." [Appropriates from General Fund to Forestry Division, Department of Conservation and Development $3,308 for period commencing when Act is ratified through June 30, 1968, and $3,308 for fiscal year 1968-69, for forest fire control purposes in Caswell County and for employment and expenses incident thereto for an Assistant County Ranger in Caswell County.] To Appropriations.

HB 536 - Introduced by Penny and others

"To amend Article 12 of Chapter 95 of the General Statutes relating to public employees becoming members of trade or labor unions." [Amends GS 95-97 (employees of units of government prohibited from becoming members of trade unions or labor unions) by making section applicable only to regular and full-time employees engaged exclusively in law enforcement (now section applicable to regular and full time employees engaged exclusively in law enforcement or fire protection activity). Adds new GS 95-98.1 prohibiting regular and full-time employee engaged partially or exclusively in fire protection activities of State, or of any agency, office, institution or instrumentality thereof, or engaged partially or exclusively in fire protection activities of any city, town, county or municipality or agency thereof from participating in any strike or asserting the right to strike against such unit of government or knowingly being, becoming or remaining a member of any labor union, trade union or other labor organization that asserts the right to strike against such unit of government. Adds new GS 95-100.1 allowing all public employees, unless otherwise prohibited, to have right of freedom of association and right to join and participate as members of any employee or labor organization.] To Manufacturers and Labor.

HB 537 - Introduced by Whitley of Guilford and others

"To rewrite G.S. 14-196, relating to the use of profane, indecent or threatening language over the telephone and annoying another by repeated telephoning or make false statements over the telephone." [Rewrites cited section (now, relative to indecent language to female telephone operators) to make following acts involving telephone, misdemeanors punishable by up to $500 fine and imprisonment up to six months: (1) use of words or language of profane, vulgar, lewd, lascivious or indecent character, nature or connotation; (2) use of words or language threatening harm to person or property or extortion; (3) harassing by repeated phone calls whether or not conversation ensues; (4) failing to hang up after phoning when intent is to disrupt anothers phone service; (5) using phone call to make false statements concerning death, disfigurement, indecent or criminal conduct of person called or member of his family or household when intent is to abuse or harass; (6) permitting phone within ones control to be used for any purpose prohibited above. Provides that prohibited uses of phone may be deemed to have taken place at either place where call made or where call received. Repeals GS 14-196.1 and GS 14-196.2 which deal with similar subjects.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- HOUSE

HB 526 - (Buncombe) Introduced by Greenwood and Harkins

"To provide for the election of the Board of Education of Buncombe County." [Provides that upon expiration of terms of office of board of education of Buncombe County new members shall be elected, commencing with the primary election in 1968 and biennially thereafter, in non-partisan election to be held at same time as regular primary election. Any registered voter residing in county may become candidate for board by filing in manner required for county officers but without declaration of political affiliation and upon payment of $5 filing fee to county board of elections. Separate ballot without indication of political affiliation shall be used for school board election and all qualified voters shall be eligible to vote therein. Candidates receiving highest number of votes cast shall be elected for 6-year term and there shall be no second primary. Candidates so elected shall qualify for office by taking oath on or about first Saturday in April next succeeding their election. Vacancies in board membership to be filled by remaining members of board for unexpired term but any vacancy of a member between his election and time he is qualified shall be filled for the elected term by members of the board with whom member causing vacancy would have served. Vacancies not filled within thirty days shall be filled by appointment of State Board of Education.] To Education.

HB 530 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones

"To amend the Charter of the town of Pineville, relating to water and sewer service." [Amends cited charter (SL 1965, Ch. 296) by giving Pineville additional power to: furnish water and sewer service as may be economically practical outside corporate limits, and to hire, construct, own, maintain, operate or lease water and sewer lines, tanks, water supply and all other equipment and services necessary to supplying water and sewer services.] To Counties, Cities and Towns.

HB 534 - (Pasquotank) Introduced by Culpepper and Godwin

"To authorize the Board of County Commissioners of Pasquotank County to convey to the Museum of the Albermarle, Inc., certain property on which the museum is located." [Authorizes Board of County Commissioners of Pasquotank to convey without consideration to the Museum of the Albemarle, Inc., a one acre parcel of land, described by metes and bounds, owned by the County and occupied by said museum. Board further authorized to convey to said museum all right, title and interest of county in easterly one-half of the farm lane along the westerly line of parcel occupied by museum and the northerly one half of U.S. Highway No. 17 along the south line of said parcel.] To Judiciary 2.

HB 535 - (Wilkes) Introduced by Billings

"To fix the compensation of the members of the Board of Education of Wilkes County." [Authorized board of education of Wilkes County to fix salary of members at not to exceed $75 per month and to reimburse each member for necessary travel and expenses incurred in performance of duties outside county (now, board members paid $12 per meeting for not more than two meetings in any one calendar month). Authorizes board to fix salary of chairman at not to exceed $75 per month plus a travel and expense allowance at not to exceed $50 per month for necessary travel and expenses incurred in performing duties in county and to reimburse chairman for necessary travel and expenses incurred in performance of duties outside county (now, chairman receives same compensation as other board members).] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 3 - Continuing teacher contract. Postponed to 4/20.

SB 117 - Headlight use hours, as amended in Senate 3/21, and in House 3/24 and 4/11. Reconsidered vote by which House adopted amendment of 4/11, which changed hours when motor vehicle headlight use required from "sunset" to "one half hour after sunset" and from "sunrise" to "one half hour before sunrise"; upon reconsideration amendment failed to pass. Passed third reading.

SR 231 - (Joint Resolution)Commemorating Halifax Resolves. Postponed indefinitely.

HB 159 - Ambulance services (House Committee Substitute 4/11). Postponed to 4/18.

HB 289 - Motorcycle definition, as amended in Senate 4/4 and 4/12. Received in House for concurrence in Senate Amendment; concurred.

HB 348 - Uniform jury commission. Reported favorably as amended.

HB 450 - Municipal elections changes. Passed second reading.

HR 463 - (Joint Resolution) Tobacco inspector pay hike. Passed second and third readings.

HR 527 - (Joint Resolution) Memorializing Ferree. Passed second and third readings.

LOCAL BILLS

HB 447 - (Beaufort) Mosquito control. Passed third reading.

HB 486 - (Forsyth) Improvement assessments. Passed third reading.

The following unnumbered House Resolution was introduced:

Introduced by Messer

"With respect to the protection and preservation of the edible and delectable wild mountain food commodity called ramp, and the annual ramp convention to be held in Haywood County Sunday, April 23, 1967." [As title indicates.] Adopted.

BILLS RATIFIED

HB 128 - (Caldwell) Medical Examiner. [Ch. 192]

HB 147 - Psychedelic drug amendments, as amended in House 3/22. [Ch. 193]

HB 148 - Seized drug evidence. [Ch. 194]

HB 428 - (Cabarrus) ABC store elections. [Ch. 195]

HB 429 - (Cabarrus) Mt. Pleasant ABC election. [Ch. 196]

Next sessions of House: 10:00 a.m., Saturday, April 15, 1967, for consideration of local bills only.
8:00 p.m., Monday, April 17, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 49

Monday, April 17, 1967

Note: The Senate convened at 9:00 a.m., Saturday, April 15, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SR 255 - (Joint Resolution) Introduced by Gentry
"Saluting the Federal Land Bank of Columbia and the Federal Land Bank Associations in North Carolina in recognition of their 50th anniversary during 1967." [As title indicates.] Passed three readings and sent to House.

SB 256 - (Joint Resolution) Introduced by Allsbrook
"Honoring the life and memory of W. Kerr Scott, former Governor and United States Senator from North Carolina." [Identical with HR 538, digested in House section of today's bulletin.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

SB 257 - (Jackson) Introduced by Brumby
"To provide for the compensation of members of the County Board of Commissioners of Jackson County." [Increases salary of county board chairman by 10% of present salary; other board members to receive $45 per day while engaged in official duties plus 7¢ per mile travel allowance while discharging official duties. Effective July 1, 1967. Identical with HB 550.] To Salaries and Fees.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown Bagging (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6, and in Senate 4/11 and 4/13. Passed third reading.
SR 221 - (Joint Resolution) Tobacco inspector pay hike. Postponed indefinitely.
SR 255 - (Joint Resolution) Saluting Federal Land Bank. Passed second and third readings.
SR 256 - (Joint Resolution) Memorializing Scott. Passed second and third readings.

HB 348 - Uniform jury commission, as amended in House 4/17. Received from House; placed on calendar 4/18.
HR 463 - (Joint Resolution) Tobacco inspector pay hike. Received from House; passed second and third readings.

LOCAL BILLS

SB 232 - (Wilkes) School board conveyance. Passed.
SB 246 - (Robeson) Lumberton Sunday pool. Passed.
SB 247 - (Union) Waxhaw land sale. Passed.

HB 257 - (Catawba) Hickory planning commission, as amended in House 3/30. Passed.
HB 368 - (Avery) Officials' pay, duties. Passed.
HB 447 - (Beaufort) Mosquito control. Received from House; sent to Counties, Cities and Towns.
HB 486 - (Forsyth) Improvement assessments. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: 12 noon, Tuesday, April 18, 1967.

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BULLETIN NO. 49
Monday, April 17, 1967

Note: The House convened at 10:00 a.m., Saturday, April 15, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 538 - (Joint Resolution) Introduced by Pickard
"Honoring the life and memory of W. Kerr Scott, former Governor and United States Senator from North Carolina." [As title indicates. Identical with SR 256.] Postponed indefinitely.

HB 539 - Introduced by Hamrick and Bailey
"To amend G. S. 105-391 so as to clarify the procedure for disposing of surplus funds in tax foreclosure sales." [Amends GS 105-391(s) (governing the disposition of proceeds from tax lien foreclosures) to require that surplus paid into court after distribution is to be paid by clerk of court to person legally entitled, if known to clerk. If clerk does not know, or if adverse claims are asserted, he shall hold surplus until rights are established in proceeding per GS 1-339.71 (proceeding to determine ownership of surplus). Amends GS 1-339.71 to include determinations regarding surplus described above.] To Judiciary 1.

HB 540 - Introduced by Hamrick and Bailey
"To amend the provisions of G.S. 45-37 relating to the discharge of record of mortgages and deeds of trust." [Amends cited section to provide that in any county where trust deeds and mortgages are recorded by register of deeds by micro-photographic process or other method making subsequent marginal notations thereon impractical: (a) trustee, mortgagee or his legal representative, or authorized agent or attorney, must present to register signed notice of satisfaction containing information set out in GS 45-37.2 for such satisfactions in counties using microfilm, to be witnessed and signed by register or deputy; (b) register, in lieu of entering satisfactions and cancellations on margin of record, and of making notices of satisfactions and cancellations on recorded instruments, shall require (under paragraph 2) signed notices of satisfaction complying with GS 45-37.2 and (under paragraphs 3 and 4) submission for recordation of notices of satisfaction so complying; and (c) register shall not be required to refer on margins of record to the fact of filing of affidavit concerning payments. Repeals last sentence of GS 45-37.2, which requires entry in alphabetical indices kept by register of the word "satisfied" opposite names of grantors and grantees of mortgages and trust deeds, when instruments satisfied.] To Judiciary 1.

HB 541 - Introduced by Hamrick and Bailey
"To fix a uniform schedule of fees to be charged by the registers of deeds throughout North Carolina." [Repeals present GS 161-10 (general fee schedule for registers of deeds) and all local variations, and establishes uniform fee schedule for registers, in addition to their (maximum) $2.00 per diem as clerk to board, as follows: registering deeds, trust deeds, chattel mortgages, crop liens, conditional sales contracts and other instruments for which no provision made, $2 for first page plus $1 per additional page; registering notice of satisfaction or termination of debt, $1 per page; issuing marriage license or delayed certificate of proceedings to correct names in application, etc., $5; filing plat $5; furnishing certified copy of plat $1, or part of plat 50¢; delayed birth registration $5; furnishing certified copy of birth, death or marriage record $1 (except where law requires free copy); amendment of birth or death record $1 each; military service records,

no fee for filing and recording but $1.50 for furnishing copy (except where law requires free); furnishing copy of any record other than specified above, $1 per page plus 50¢ for certificate and seal; providing certificate and seal of office 50¢; comparing carbon copy of record for certification, $1 per page plus 50¢ for certificate and seal; preparing affidavit with seal of office $1.50; preparing request for report from Census Bureau $1. Effective July 1, 1967.] To Judiciary 1.

HB 542 - Introduced by Hamrick and Bailey

"Amending the statutes relating to marriage records in North Carolina." [Rewrites GS 51-2 (governing capacity to marry) to provide that consent for marriage of one between ages of 16 and 18, or for marriage of unmarried pregnant female or mother between ages of 12 and 16 and putative father if between those ages, must be given as follows: by father if marriage applicant resides with father but not with mother; by mother if residing with mother but not father; by either if residing with both; by person, agency, or institution having legal custody, standing in loco parentis or serving as guardian of such child (now, by one of parents or person in loco parentis, in any circumstance). Deletes requirement of filing of certificate for all out-of-state marriages. Amends GS 51-8 (issuing of marriage license by register of deeds) to delete reference to consent needed for under-age marriages; otherwise retains substance of section. Adds provisions to GS 51-6 (outlawing marriage ceremonies without licenses) requiring at least two witnesses to marriage ceremony, and permitting ceremonies to confirm lawful out-of-state marriages before confirmed ordained minister of this State, such ceremonies not to affect validity of prior marriage ceremony and no license to be issued for of record kept of such ceremony by register of deeds. Adds provision to GS 51-21 (issuance of delayed marriage certificates) permitting determination of fact of occurrence of purported marriage ceremony in order to obtain such certificate, by means of hearing in prescribed manner before clerk of superior court. Repeals GS 51-14 (requiring certificate of compliance with requirements of health examination by those married out of state). Applies GS 51-15 (making misdemeanor of obtaining marriage license by false representation) to all cases of obtaining license by fraud, by removing language limiting it to licenses for marriage of persons under 18. Amends GS 51-7 (penalizing ministers performing marriage without license or without returning license afterwards) by requiring that license be returned within 10 days of ceremony (now, 30). Amends GS 51-16 (form of marriage license) to require signatures of two witness on certificate (now, one). Amends GS 51-18 (records of licenses) to require that register record names of two witnesses (now, all or at least two). Amends GS 115-162 to delete provision that birth certificate required of parents seeking to have their child admitted to public school for first time shall be furnished without charge by register of deeds.] To Judiciary 1.

HB 543 - Introduced by Hamrick and Bailey

"To amend the provision of G.S. 10-9 relating to notaries public." [Amends cited section (manner of attestation by notaries public) by limiting its application to North Carolina notaries and by requiring that attestation be by "the clear and legible appearance of their notarial stamps" (now, attestation may also be by "clear and legible impression of their notarial seals"). Effective July 1, 1968.] To Judiciary 1.

HB 544 - Introduced by Hamrick and Stewart

"To amend Chapter 93A of the North Carolina Real Estate Licensing Board, the qualifications of real estate brokers, and the grounds for revocation of licenses." [Amends GS 93A-3 by providing that at least two members of NC Real Estate Licensing Board shall be licensed real estate brokers or salesmen (now, only two members may be such). Adds requirement to GS 93A-4 that each applicant for license as real estate broker: be citizen of US at least 21 years old; have been actively engaged as licensed real estate salesman in NC for at least six

months prior to application; or to furnish evidence of experience in real estate transactions or completion of study or combination of experience and study of real estate transactions which Board shall find equivalent to six months experience. Adds the following to GS 93A-6 as additional grounds for Board to revoke or suspend license of broker or salesman: conviction or nolo contendere plea to embezzlement, obtaining money under false pretense, forgery, conspiracy to defraud or any similar offense or offenses involving moral turpitude. Effective July 1, 1967.] To Judiciary 1.

HB 545 - Introduced by Bumgardner

"To amend Article 7 of Chapter 65 of the General Statutes relating to perpetual care cemeteries." [Rewrites portions of GS Ch. 65, Art. 7 (Cemeteries Operated for Private Gain) as follows: Amends GS 65-18 and GS 65-19(b) to make Article applicable regardless of whether such cemeteries advertise or offer perpetual care of grave space. Amends GS 65-22 and GS 65-24 by raising from $5 to $10 amount per grave space required to be deposited in perpetual care fund, except as provided by GS 65-27 (see below). Amends GS 65-23, GS 65-23.1 and GS 65-24 by deleting "development" as purpose for which income from perpetual care fund and perpetual care trust fund "A" must be used. Repeals GS 65-25 (sale of lots under "certificate plan" and certificate indemnity fund). Rewrites GS 65-26 as follows: forbids any person or association from establishing or operating public cemetery for private gain or profit without a license and without providing for perpetual care of cemetery in accord with Article: sets out contents of application to NC State Burial Association Commissioner, including the perpetual care trust fund agreement itself with an initial deposit of not less than $25,000 by bank cashier's check or certified check payable to trustee; requires Commissioner to set hearing upon application and spells out manner of notice of hearing, form of hearing, notice of results of Commissioner's decision, and method of appeal from Commissioner's decision; provides that if application not approved, $25,000 to be refunded to applicant. Rewrites GS 65-27 to provide that when amount of deposit required by GS 25-23 (see above) amounts to $100,000, cemetery may make all deposits thereafter into the original trust fund or into trust fund "A" but they shall not be less than $5 per grave space. Repeals GS 65-28 (amount of deposits for perpetual care fund in certain instances). Adds requirement to GS 65-30 that books and records be kept up to date at principal office of cemetery; that trust fund records be made available to Commissioner during regular business hours; and that upon failure of cemetery to accurately keep trust fund records and failure to correct them within 60 days after written demand by Commissioner, he may suspend cemetery's license until failure corrected. Rewrites GS 65-31 to provide that in addition to GS 66-34 penalties, any cemetery manager, owner, employee or agent who violates wilfully any provisions of Article is guilty of misdemeanor punishable by fine or imprisonment, or both, in discretion of court. Adds to GS 65-32 prohibition against selling or advertising grave space unless cemetery has license. Adds new GS 65-34.1 providing that if Commissioner is unable to have legal notice or process served on officer or manager of cemetery, he may obtain notice or process upon Secretary of State and shall have authority to petition superior court for receivership to protect interest of owners of burial rights and other interested persons. Rewrites GS 65-36 as follows: provides that Commissioner shall annually assess each cemetery $60 plus amount calculated in proportion to number of grave spaces sold in preceding year so that total assessments on all cemeteries (including $60 basic assessment) shall in aggregate, amount to 20% of total budget of Commissioner as approved by Director of the Budget and Advisory Budget Commission (not to exceed $14,000); Commissioner to use such funds in discharge of duties imposed by law; assessments due and payable July 1, 1967 and annually thereafter; authorizes Commissioner to cancel license if payment not made within 30 days after assessment.] To Insurance.

HB 546 - Introduced by Bumgardner

"Rewriting G. S. 58-228 and G. S. 58-237 relating to assessments against mutual burial associations for the expenses of the Burial Commissioner and related to the bond required of burial associations." [Rewrites GS 58-228 to provide that total assessment for Burial Association Commissioner's supervisory costs shall in aggregate amount to 80% of total budget of Commissioner as approved by Director of Budget and Advisory Budget Commission but not to exceed $56,000 (now, only restriction is that assessment not to exceed $50,000); to provide that Commissioner is "authorized" to transfer memberships, etc., of nonpaying associations (now, such transfer is Commissioner's "duty"); and to make clarifying rewordings. Rewrites GS 58-237 (performance bond required of secretary or secretary-treasurer of burial association) to require that bond be for not less than $1,000 nor more than $10,000 in discretion of Commissioner for those associations with assets (as determined by Commissioner) of $10,000 or less; or $10,000 plus 25% of all assets over $10,000 for other associations; no bond to exceed $50,000 (now, not less than 25% of surplus, in no case lower than $1,000; bond to be deposited with Commissioner).] To Insurance.

HB 548 - Introduced by Godwin of Craven

"To amend G. S. 128-15 so as to extend to veterans of the Vietnam conflict, their wives and widows, employment preference." [Amends cited section by adding all veterans who served at any time between January 31, 1955 and the end of hostilities in Vietnam to list of veterans entitled to preference rating of ten points on examinations for positions with State or its departments, institutions or agencies and a preference rating of one point on promotional for examinations each year actually served (not to exceed five points). Also entitles these veterans, their widows and wifes of disabled veterans, to preference in appointment and promotion by State.] To Veterans and Military Affairs.

HB 553 - Introduced by Twiggs

"To amend G. S. 20.139.1 pertaining to results of chemical analysis admissable in evidence." [Adds to cited section provision that analysis of person's blood, urine, spinal fluid and saliva (now, only breath) may be introduced into evidence to show amount of alcohol in blood for purposes of criminal action arising out of acts alleged to have been committed while driving intoxicated.] To Judiciary 2.

HB 554 - Introduced by Godwin of Gates

"To amend Chapter 156, Article 5, Section 57 of the General Statutes." [Rewrites GS 156-57 (filing of bond with petition for establishment of drainage district and giving of notice to nonpetitioning landowners included in proposed district) to provide that clerk shall give such notice at any time after filing of petition (now, no time specified), and to require attorney for petitioners to certify to CSC prior to hearing of final report of board of viewers that due diligence has been used to determine names of all landowners within proposed district area and that summons has been issued for such landowners and served either by personal service or by publication for all known and unknown landowners determinable by due diligence.] To Judiciary 2.

LOCAL BILLS INTRODUCTED -- HOUSE

HB 547 - (Brunswick) Introduced by Williamson

"To make GS 14-335, relating to punishment for public drunkenness, applicable to Brunswick County." [Amends GS 14-335 to include Brunswick among counties where public drunkenness is a misdemeanor, punishable by a fine, for first offense, of not more than $50, or imprisonment for not more than 30 days; for second offense within 12-months a fine of not more than $100, or imprisonment for not more than 60 days; and for third offense within 12-months to be misdemeanor punishable within discretion of court (now, Brunswick among counties where punishment set at fine of not more than $50, or imprisonment for not more than 30 days without distinction as to the number of offenses).] To Judiciary 2.

HB 549 - (Macon) Introduced by McGlamery by request
"To amend G. S. 153-10.1, relating to the removal and disposal of trash and garbage, so as to make the same applicable to Macon County." [Adds Macon to list of counties whose commissioners empowered to govern removal and disposal of trash and garbage in non-municipal areas of county. Under cited section, violation of Commissioners' orders governing trash and garbage removal punishable by fine up to $50 or imprisonment up to 30 days, with each week violation continues constituting separate offense.] To Counties, Cities and Towns.

HB 550 - (Jackson) Introduced by Taylor
"To provide for the compensation of members of the County Board of Commissioners of Jackson County." [Identical with SB 257, digested in the Senate section of today's bulletin.] To Local Government.

HB 551 - (Rutherford) Introduced by Harrill
"To amend G.S. 7-64 so as to confer concurrent criminal jurisdiction in the Superior Court and inferior courts of Rutherford County." [Deletes Rutherford County from list of counties exempted from GS 7-64, which vests concurrent jurisdiction in superior court over any criminal actions in which original jurisdiction given by statute exclusively to courts of inferior jurisdiction.] To Courts and Judicial Districts.

HB 552 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones
"To amend Chapter 446, Public-Local Laws of 1931, relating to emergency and pension fund for law enforcement officers in Mecklenburg County." [Authorizes annual increase in disability benefits of 1% of total compensation paid out of The Emergency and Retirement Fund of Mecklenburg to eligible member during preceeding year. Monthly disability benefits not to exceed 80% of members salary at time disability incurred.] To Counties, Cities and Towns.

HB 555 - (Franklin) Introduced by Speed and Church
"To amend Chapter 61, Public-Local Laws of 1931, relating to the nomination and election of county commissioners in Franklin County." [Amends Pub.-Loc. L. 1931, Ch. 61 to provide that in primary elections for five commissioners of Franklin County, one candidate from each of five districts in county shall be nominated by qualified voters of county as a whole participating in respective party primaries, and should there be more than one candidate from any of parties from any one district, candidate receiving "a majority of votes cast for candidates" (now, "the highest number of votes") throughout the county in his respective district shall be nominee of his party from such district.] To Counties, Cities and Towns.

HB 556 - (Franklin and Warren) Introduced by Speed and Church
"To make the general laws of the State relating to fox hunting applicable to Franklin and Warren Counties." [Repeals Ch. 742 and Sec. 2, Ch. 197, S.L. 1957, accomplishing purpose indicated in title. (Repealed laws authorize hunting foxes at any time by hounds, and prohibit hunting foxes at any time by guns, in Franklin and Warren.)]

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 117 - Headlight use hours, as amended in Senate 3/21 and in House 3/24, 4/11 and 4/14. Motion adopted to recall from Senate for further consideration.
SB 147 - Rear view mirrors. Amendments adopted exempting farm tractors, self-propelled implements of husbandry, construction equipment, and all self-propelled vehicles not subject to registration, from requirements of act and making it effective July1,1967 rather than on ratification. Passed second reading.

SB 181 - Cotton Promotion vote. Passed second and third readings.
SB 199 - Savings and loan advisors, as amended in Senate 4/14. Received from Senate; sent to Insurance.
SR 221 - (Joint Resolution) Tobacco inspector pay hike. Received from Senate; placed on calendar for April 19.
SB 226 - Educational loans. Received from Senate; sent to Insurance.
SR 255 - (Joint Resolution) Saluting Federal Land Bank. Received from Senate; passed second and third readings.
SR 256 - (Joint Resolution) Memorializing Scott. Received from Senate; passed second and third readings.

HB 45 - Personalized license plate (House committee substitute 3/29), as amended in House 3/30 and in Senate 4/12. Received for concurrence in Senate amendment; sent to Rules.
HB 143 - Motorcycle licensing, as amended in House 3/24. Reported without prejudice.
HB 348 - Uniform Jury Commission. Amendments adopted deleting "unless pardoned" exception to exclusion of convicted felons from jury list; permitting release from jury duty when service would be "contrary to public welfare, health or safety" (in original bill, "inimical to public health or safety") and making technical correction. Passed second and third readings.
HB 450 - Municipal elections changes. Floor amendment adopted requiring board of canvassers to meet at 12 noon at place designated by board of commissioners (original bill deleted reference to time and place of meeting). Passed third reading.
HB 497 - Insurance co. increase surplus. Reported favorably.
HB 498 - Ass't AG, Insurance Dep't. Reported favorably; re-referred to Appropriations.
HR 538 - (Joint Resolution) Honoring Scott. Postponed indefinitely.

LOCAL BILLS

SB 160 - (Burke) Grand jury terms. Passed.

HB 276 - (Davie) Special taxes-offices expenses. Passed third reading.
HB 437 - (Mecklenburg) Charlotte realty powers, as amended in Senate 4/14. Received for concurrence in Senate amendment; concurred.

Next session of House: 12 noon, Tuesday, April 18, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 50

Tuesday, April 18, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 258 - Introduced by Penn
"To amend the public school law of the State for the purpose of raising the compulsory school attendance age limit to eighteen years." [Identical with HB 558, digested in the House section of today's bulletin.] To Education.

SB 259 - Introduced by Kemp and others
"To amend Chapter 105 of the General Statutes of North Carolina to levy an excise stamp tax on conveyances of real estate." [Identical with HB 563, digested in the House section of today's bulletin.] To Finance.

SB 260 - Introduced by MacLean
"Providing that the Canova statue of George Washington be placed in the rotunda of the North Carolina Capitol Building." [As title indicates.] To State Government.

SB 262 - Introduced by MacLean
"To authorize city and county boards of education to offer and pay rewards for information leading to the arrest and conviction of any person or persons injuring or damaging real or personal property of the public school system." [Authorizes county and city boards of education to offer and pay rewards, from current expense funds, of not exceeding $50 for information leading to arrest and conviction of person or persons who willfully deface, damage or destroy property, commit acts of vandalism or commit larceny of property belonging to public school system under jurisdiction and administration of board.] To Education.

SB 264 - Introduced by Wood and Harrington
"For a supplemental appropriation to the Department of Agriculture to provide for expanded facilities for swine and beef cattle research at the Tidewater Research Station at Plymouth, North Carolina." [Appropriates from General Fund to NC Department of Agriculture $199,000 for fiscal year 1967-68 and $18,000 for fiscal year 1968-69 for use at Tidewater Research Station. Spells out specific amounts available at Research Station for capital improvements ($176,000 total) and increased operating expenses, including personnel, and maintenance and operation, ($41,000 total). Effective July 1, 1967.] To Appropriations.

SB 265 - Introduced by Moore
"For a supplemental appropriation to the State Department of Archives and History for the completion of the President James K. Polk Birthplace State Historic Site." [As title indicates. Appropriates $63,500 to be expended during period beginning effective date of act and ending June 30, 1969. Identical with HB 566.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 261 - (Robeson) Introduced by MacLean
"To require the City of Lumberton to reimburse the Robeson County Board of elections for expenses incurred in establishing precincts within the city." [Requires City of Lumberton to reimburse Robeson County Board of Elections for all expenses incurred in surveying and establishing election precincts in said city.] To Local Government.

SB 263 - (Robeson) Introduced by MacLean
"To provide compensation for the chairman and members of the Robeson County Board of Education." [Provides for compensation of Chairman of Robeson County Board of Education to be $75 per month; other members to receive $15 per board meeting attended. Chairman and members to receive 8¢ per mile for round trip travel to board meetings. Compensation provided to come from current expense budget of Robeson County Board of Education.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 62 - Highway markings. Reported favorably as to committee substitute. Committee substitute adopted substantially identical with SB 62 digested in Bulletin No. 15 except that center and edge marking are required for all existing or new Inter-state and primary roads, paved secondary roads having an average traffic volume of 100 vehicles per day or more, and which are traffic service roads forming a connecting link in State Highway System; Highway Commission is not required to mark with center and edge line, local subdivision roads, loop roads, dead-end roads of less than one mile in length or roads the major purpose of which is to serve the abutting property, or to mark with edge line roads on which curbing has been installed or which are less than 16 feet in width (original bill specified center and edge marking for all existing or new paved roads on State Highway System provided that State Highway System streets where curb and cutter are installed were not to be covered by edge line requirement). Time for marking existing affected streets not specified (original bill required marking be done immediately) but marking of new affected streets is to be within 30 days of completion (same requirement as original bill). Placed on calendar 4/20.
SB 117 - Headlight use hours, as amended in Senate 3/21 and in House 3/24 and 4/11. Received from House; returned to House.
SB 194 - Extending embezzlement. Reported favorably; placed on calendar 4/20.
HB 105 - Highway plans recording, as amended in House 3/9 and 3/14. Reported favorably as amended.
HB 345 - Highway Comm'n meetings. Reported favorably; placed on calendar 4/20.
HB 348 - Uniform jury commission, as amended in House 4/17. Passed second reading.
HB 450 - Municipal elections changes, as amended in House 4/17. Received from House; sent to Elections and Election Laws.
HR 488 - (Joint Resolution) Anti-litter campaign. Reported favorably; placed on calendar 4/20.

LOCAL BILLS

SB 222 - (Wilkes) Surveyor registration. Passed third reading.

HB 276 - (Davie) Special taxes-office expenses. Received from House; sent to Local Government.
HB 370 - (Duplin) Special purpose taxes. Passed third reading.
HB 408 - (Carteret) Emerald Isle boundaries. Passed third reading.

BILLS RATIFIED

SB 115 - Adjustment board alternates, as amended in Senate 3/20 and in House 4/12. [Ch. 197]
SB 160 - (Burke) Grand jury terms. [Ch. 212]
SB 181 - Cotton promotion vote. [Ch. 213]
SR 255 - (Joint Resolution) Saluting Federal Land Bank. [R 39]
SR 256 - (Joint Resolution) Memorializing Scott. [R 40]
HB 175 - Sea turtle protection, as amended in House 3/30. [Ch. 198]
HB 245 - (Lincoln) Lincolnton pension plan. [Ch. 199]
HB 257 - (Catawba) Hickory planning commission, as amended in House 3/30. [Ch. 214]
HB 271 - (Bladen) White Lake elections, as amended in House 4/6. [Ch. 200]
HB 289 - Motorcycle definition, as amended in Senate 4/4 and 4/12. [Ch. 201]
HB 315 - (Caswell) Homestead appraisers. [Ch. 202]
HB 336 - (Washington) Plymouth elections. [Ch. 203]
HB 355 - (Ashe) West Jefferson land sale. [Ch. 204]
HB 368 - (Avery) Officials' pay, duties. [Ch. 215]
HB 371 - (Duplin) Flood control funds. [Ch. 205]
HB 372 - (Duplin) County welfare building. [Ch. 206]
HB 405 - (Caswell) Milton officials' terms. [Ch. 207]
HB 431 - (Graham) Fontana Village security. [Ch. 208]
HB 435 - (Stanly) Fireman's Ass'n lease. [Ch. 209]
HB 436 - (Wilson) Wilson rec. commission terms. [Ch. 210]
HB 437 - (Mecklenburg) Charlotte realty powers, as amended in Senate 4/14. [Ch. 216]
HR 463 - (Joint Resolution) Tobacco inspector pay hike. [R 41]
HB 506 - (Wilson) Sunday closing law ballot. [Ch. 211]
HR 507 - (Joint Resolution) Commemorating Halifax Resolves. [R 37]
HR 527 - (Joint Resolution) Memorializing Ferree. [R 38]

Next session of Senate: 1:30 p.m., Wednesday, April 19, 1967 at Lee Creek, North Carolina.

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BULLETIN NO. 50
Tuesday, April 18, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 557 - Introduced by McMillan of Robeson

"To amend Chapter 115 of the General Statutes (Replacement 1966) to provide for the consolidation and merger of city school administrative units and county school administrative units to the end that all the public schools in the merged unit may be governed and administered by one board of education." [Rewrites GS 115-11(11) to give State Board of Education power to alter the boundaries of city school administrative units and to approve agreements of county and city boards of education requesting merger of two or more contiguous city school administrative units and merger of city units with county units and consolidation of all public schools under one board of education; such mergers are not to abolish any special taxes that may have been voted in such units (now, Board only has power to alter boundaries of city units or to establish additional ones). Deletes from GS 115-74 procedure for consolidation of city and county units. Retitles GS Ch. 115, Art. 8 as "Creating and Consolidating School Districts and School Administrative Units." Adds new GS 115-74.1 as follows: authorizes consolidation and merger of city units with contiguous city units and with county school units upon approval by State Board of plan submitted by involved boards and bearing approval of board of county commissioners; requires merging boards to enter into written plan setting forth conditions of merger not inconsistent with NC law including: (1) name of merged unit; (2) effective date of merger; (3) manner of establishment and maintenance of new board including termination of terms of office proposed by reorganization and method of constituting and continuing new board, length of member's terms, dates of induction into office, organization of board, procedure for filling vacancies, and compensation to be paid members; (4) powers and duties of board with respect to employment of personnel, preparation of budgets, and related matters; (5) transfer of all properties, funds, contracts, and other obligations, assets, and liabilities to new board; (6) continuation of supplemental school taxes in effect; (7) statement of public hearing, which shall have been announced at least ten days prior to hearing, on proposed plan or merger; (8) statement whether question of merger is to be contingent upon approval of voters in affected area; (9) any other condition or prerequisite to merger together with any other appropriate subject or function that may be necessary for orderly consolidation and merger. Plan to be agreed upon by affected boards and to be accompanied by certification thereof and that required public hearing was announced and held; plan with required certificates to be first approved by board of county commissioners and then by the State Board; upon State Board approval plan has affect as law and cannot be changed except by act of General Assembly; copy of plan to be filed with Secretary of State. Permits plan to be submitted to referendum in geographic area affected pursuant to GS 115-122 (elections in districts created from portions of continguous counties).] To Education.

HB 558 - Introduced by McMichael and others

"To amend the public school law of the State for the purpose of raising the compulsory school attendance age limit to eighteen years." [Amends GS 115-166 to raise compulsory school attendance age limit to 18 (now 16) unless board of education of administrative unit in which child resides finds (1) child has completed 12th grade or equivalent high school course or (2) child, because of financial circumstances, dependents or other good cause, is unable to attend

(replaces present exceptions -- child assigned against wishes of parent or guardian to school attended by child of another race, and not practicable to attend private nonsectarian school). Identical with SB 258.] To Education.

HB 560 - Introduced by Stewart

"To add G.S. 143-118.1 affirming the authority of the Board of Mental Health to compromise State Mental Hospital accounts." [Adds cited section which authorizes board of trustees or directors of institutions (as set out in GS 143-117) or the NC Board of Mental Health to enter into contracts of compromise of accounts owing the institutions for past, present or future care, including contracts to charge nothing. Rate of charge fixed by contracts to be paid on monthly basis or in lump sum for accrued amounts. Rates or decision to make no charge to be determined by Board according to ability to pay. In actions to collect accounts, verified and itemized statement of account accompanied by contract here authorized to have same effect in instituting a prima facie case as statement of account filed pursuant to GS 143-118.] To Judiciary 1.

HB 561 - Introduced by Stewart

"To provide for a lien to benefit State mental hospitals." [Adds new GS 143-126.1 to provide for a general lien on real and personal property of patient, whether held by him or trustee or guardian, for care and maintenance at following State mental hospitals: Broughton, Cherry, Dorothea Dix, and John Umstead. Lien shall be for unpaid balance shown on certified statement of account for charges from and after July 1, 1967, prepared by Board of Mental Health in prescribed manner and filed with CSC in county of residence of patient and each county in which he owns an interest. Statement from time of filing constitutes notice of lien against real property owned or thereafter acquired by patient in such county. Payments by fiduciary (including CSC) toward satisfaction of lien shall be valid expenditure as provided in GS 143-119 (payment provisions for inmates of State institutions). Liens shall be renewable by filing of new statement, take priority over all other liens subsequently acquired, and continue from date filed until satisfied; no action to enforce lien may be brought more than ten years from last date of filing nor more than ten years after death of patient. Failure to bring action or file statement shall not bar recovery but shall extinguish lien and priority thereby established. Upon receipt by State institution or Board of Mental Health of amount of lien outstanding, or upon agreement of compromise of such unpaid balance, Board shall notify CSC who shall cancel said lien.] To Judiciary 1.

HB 562 - Introduced by Stewart

"To amend G.S. 143-126 providing for the recordation of a lien for State Mental Hospitals' charges upon the death of a patient." [Adds new GS 143-126(b), (c), (d), and (e), providing that upon death of patient in one of the institutions listed in GS 143-117, Board of Mental Health shall file with CSC statement containing following: name of patient, date of death, inclusive dates of hospitalization, names of hospital providing care, and amount of unpaid balance evidenced by certified statement of account. Statement to be filed in county of deceased's residence and may be filed in counties where he owned real property. From time of filing, statement to be due notice of lien against real property then owned by patient and lying in such county to extent of total amount of unpaid balance for patient's support and maintenance evidenced by certified statement of account. Payments by fiduciary (including those made by CSC) to constitute valid expenditure pursuant to GS 143-119. Bars actions to enforce liens later than ten years from date of death, but failure to bring action only extinguishes lien and priority. Upon receipt of unpaid balance or upon agreement of compromise, Board to notify CSC who shall cancel lien of record.] To Judiciary 1.

HB 563 - Introduced by Leatherman

"To amend Chapter 105 of the General Statutes of North Carolina to levy an excise stamp tax on conveyances of real estate." [Adds new GS Ch. 105, Art. 8E entitled "Excise Stamp Tax on Conveyances" applicable to every person, firm, corporation etc. other than governmental units conveying interests in real estate, except transfers by operation of law or by lease, will, intestacy, gift, merger or consolidation, or instruments servicing indebtedness, or where no consideration is due or paid. Levies excise tax on each transfer instrument at rate of 50¢ on each $500 or fraction thereof of consideration or value of interest conveyed, exclusive of any lien or encumbrance, to be paid by transferor to county where all or greater part of realty lies. Directs Comm'r of Revenue to furnish each county at reasonable charge tax stamps of uniform size and design. Directs every register of deeds to obtain from Comm'r and maintain adequate stamp supplies, and to account for stamps as required by Comm'r. Requires that every transfer instrument have stamps affixed, and that register cancel each stamp, prior to recording. Declares transferees with knowledge to be jointly and severally liable when tax not paid; taxes unpaid for 30 days after demand may be recovered by county in superior court action, with additional costs for collection. Declares as misdemeanor with $100-$1,000 fine willful failure of transferor or accomplice to pay tax. Makes general provisions of GS Ch. 105, Subch. III, Art. 30 (Collection of Taxes) applicable to Act. Makes unauthorized reproduction of tax stamps punishable as forgery under GS 14-119 (felony, punishable by imprisonment for 4 months to ten years, or fine in discretion of court). Effective January 1, 1968. Identical with SB 259.] To Finance.

HB 565 - Introduced by Bunn

"To amend Article 7 of Chapter 95 of the General Statutes relating to boiler certificate inspection fees." [Raises to $2 (now $1) fee to be paid for issuance of inspection certificates required of designated boilers under GS 95-64 and GS 95-64.1. Rewrites GS 95-68 and GS 95-68.1 (relating to internal, external and other inspection fee) to provide that person operating boiler required to be inspected to pay inspector fee in accordance with revised rate schedule (fees ranging from $4 to $25 depending on boiler specifications, reflecting increases of from $1 to $5). Two dollars (now, $1) of each internal inspection fee or inspection required by GS 95-68.1 to be fee for inspection certificate. Adds section (GS 95-65.2) creating misdemeanor punishable by up to $100 fine or 30 days imprisonment, or both, for willful failure to pay established inspection fees within 30 days after completion of inspection and notice delivered to owner, user or operator. Effective July 1, 1967.] To Finance.

HB 566 - Introduced by Baugh and Beatty

"For a supplemental appropriation to the State Department of Archives and History for the completion of the James K. Polk Birthplace State Historic Site." [Identical with SB 265, digested in the Senate section of today's bulletin.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 559 - (Surry) Introduced by Merritt

"To regulate and fix the fees of Justices of the Peace in Surry County." [Sets fees of Surry JP's as follows: (1) 25¢ -issuing subpoenas, recognizances of witnesses and probate or acknowledgment of instrument admitted to registration; (2) 50¢ - docketing judgments, taking affidavits, taking bond, and taking depositions (each sheet); (3) 75¢ - warrants of commitment, and affidavit and order of removal; (4) $1.00 - issuing summons (50¢ for each additional defendant), transcripts of Judgment for recording (10¢ for each additional defendant), issuing execution where only one defendant, return notice of appeal, capias and

order of arrest, garnishment for taxes, for each copy of notice issued, and filing and docketing lien (50¢ for each additional defendant); (5) $1.50 - trail and judgments and allotting widow's years' allowance; (6) $2.00 - warrant of arrest in criminal action; (7) $3.00 - jury trial and verdict; and (8) $3.50 - issuing claim and delivery, and issuing attachment papers ($1.50 for each additional defendant).] To Courts and Judicial Districts.

HB 564 - (Transylvania) Introduced by Taylor
"To provide for loose-leaf, full-time registration system and for new registration of voters in Swain County." [Required Swain County Board of Elections before primary election in 1968 to install loose-leaf registration system, with full-time and permanent registration pursuant to GS Ch. 163 (Elections and Election Laws). Requires board to hold new and complete county-wide registration beginning at 9:00 a.m. on fifth Saturday before 1968 primary with books remaining open until sunset on second Saturday before primary; thereafter, registration to be in accord with general laws regulating registration of voters in counties where loose-leaf and full-time, permanent registration established. County board of commissioners to pay cost of establishing new system and cost of new registration.] To Elections and Election Laws.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging, (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6, and in Senate 4/11 and 4/13. Received for concurrence in Senate amendments; concurred in all amendments except the following: (1) permitting possession and consumption of alcoholic beverages not in public view on other private property not open at time to general public, with express permission of possessor of property (not to permit possession or consumption in violation of GS 18-51(3), (4), and (5), restricting defined consumption); and (2) deleting prohibition against issuance of permit for special occasions in dry counties. Motion adopted to appoint conference committee; the Speaker appointed the following conferees: Euliss, Godwin of Gates, Hamrick, Johnson of Wake, McMillan of Robeson.

SB 147 - Rear view mirrors, as amended in House 4/17. Floor amendments adopted which: (1) delete requirement that mirror provide "undistorted" view, (2) provide that violations not to constitute negligence per se in civil actions, (3) provide that any inside mirror installed deemed to comply, (4) delete requirement that mirrors give view for distance of at least two hundred feet, and (5) provide that act to apply only to motor vehicles manufactured and sold on and after January 1, 1968.. Passed third reading.

HB 159 - Ambulance services (House committee substitute 4/11). Floor amendments adopted which (1) requires Board of County Commissioners to find at public hearing that granted powers are necessary to assure adequate and continuing ambulance services and that such powers are necessary to preserve and promote public health and welfare; (2) adds proviso that ambulance operator providing services upon date of ratification and who continues to provide services up to effective date of ordinance adopted pursuant to act, and satisfies board of commissioners of continuing service is entitled to franchise to serve at least that part of county in which service has been continuously provided; (3) makes technical changes, (4) permits exercise of powers in only one portion of county and permits levy in special tax district created by board of county commissioners; (5) deletes new GS 14-111.1 which imposed penalty for obtaining ambulance services without intending to pay therefor. Passed second reading.

HB 314 - Abolishing capital punishment. Reported favorably.
HB 321 - Pay for aged care. Reported favorably.
HB 333 - Motorcycle safety gear. Reported favorably as to committee substitute. Committee substitute adopted which (1) makes clarifying changes, (2) adds provision that violations shall not constitute negligence per se or contributory negligence in any civil action, (3) makes violation of GS 20-126(c) misdemeanor punishable by fine not exceeding $50 or imprisonment not exceeding thirty days. Placed on calendar for April 20.

LOCAL BILLS

SB 232 - (Wilkes) School board conveyance. Received from Senate; sent to Education.
SB 246 - (Robeson) Lumberton Sunday pool. Received from Senate; sent to Local Government.
SB 247 - (Union) Waxhaw land sale. Received from Senate; sent to Counties, Cities and Towns.

Next session of House: 1:30 p.m., Wednesday, April 19, 1967 at Lee Creek, North Carolina, for consideration of local bills only.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 51
Wednesday, April 19, 1967

Session: Senate -- 1:30 p.m., Lee Creek, North Carolina

PUBLIC BILLS INTRODUCED -- SENATE

SB 266 - Introduced by Gilmore
"To regulate the towing of water skiers." [Amends GS 75A-13 to prohibit use of vessel for towing persons on water skis or similar devices unless vessel equipped with wide-view mirror which enables operator to observe progress of such persons without looking backward. (Replaces present requirement of act that such vessels be equipped with rear view mirror or that skier wear a life preserver.)] To Wildlife.

SB 267 - Introduced by Gilmore
"To recognize the diver's flag, regulate its use, and specify its effect". [Adds GS 75A-14.1 to require that divers (as defined) must display diver's flag of prescribed dimensions and color from mast of vessel, buoy or other structure near diving place when diving operation in progress. Prohibits other vessels from approaching closer than 50 feet to site of diver's flag, except several vessels working in combined diving operations; requires diving sites to be selected so as to avoid hindrances to legitimate navigation. Provides that prohibitions of section are not to apply where its enforcement would impede emergency operations or to supervised professional diving activities entailing no substantial dangers. Authorizes Wildlife Resources Comm'n to adopt implementing regulations to permit further modifications and to conform to uniform state laws. Defines "divers" as including skin divers, scuba divers and others; exempts: diving incidental to swimming or other water sports, diving in defined swimming areas excluding vessels, diving from boards or vessels for brief periods, underwater explorers from submarines, and divers in helmets or bathyspheres controlled from vessels or platforms. Amends GS 75A-18 to make violations of new GS 75A-14.1 misdemeanors punishable by $25 fine.] To Wildlife.

SR 268 - (Joint Resolution) Introduced by Gilmore
"Urging manufacturers to accept responsibility for determining the safe capacities of their respective products and to place capacity plates on all new boats." [Urges boat manufacturers to determine safe loading capacity of their products and recommend horsepower of motors used therewith; further, that seating and horsepower determinations be affixed to each new boat on a durable plate visible from operator's position.] To Wildlife.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 194 - Extending embezzlement. Passed second and third readings.

HB 105 - Highway plans recording, as amended in House 3/9 and 3/14. Postponed to 4/20.
HB 345 - Highway comm'n meetings. Passed second and third readings.

LOCAL BILLS

None

Next session of Senate: 12 noon, Thursday, April 20, 1967.

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BULLETIN NO. 51
Wednesday, April 19, 1967

Session: House -- 1:30 p.m., Lee Creek, North Carolina

PUBLIC BILLS INTRODUCED -- HOUSE

None

LOCAL BILLS INTRODUCED -- HOUSE

None

HOUSE CALENDAR ACTION

PUBLIC BILLS

None

LOCAL BILLS

None

Next session of House: 12 noon, Thursday, April 20, 1967.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 52
Thursday, April 20, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 269 - Introduced by White of Cleveland and Austin
"To amend Chapter 88 of the General Statutes relating to the practice of cosmetic art." [(1) Rewrites GS 88-1 to require State certificate as "registered managing cosmetologist"(now, "registered apprentice") or registered cosmetologist to practice cosmetic art for pay. (2) Rewrites GS 88-3 to define "registered cosmetologist" as person who is not a manager who practices cosmetic art under supervision of licensed managing cosmetologist (now, person who practices cosmetic art for pay). (3) Rewrites GS 88-5 to define "managing cosmetologist" as person who operates cosmetic art establishment or directly supervisesoperators but not persons whose duties relate solely to business management (now, person who has direct supervision over operators in cosmetic art establishment). (4) Repeals GS 88-6, 88-7, 88-9, 88-10, and 88-11, (defining operators and itinerant cosmetologists, and defining qualifications, capacity and registration procedures of apprentice cosmetologist). (5) Rewrites GS 88-12 to provide that for registration as a registered cosmetologist a person must be at least 17-years of age, graduate of approved high school or equivalent, have completed at least 1500 hours in classes of cosmetic art school "or any other type of school" approved by State Board of Cosmetic Art Examiners, passed prescribed physical examination, passed examination of fitness to practice cosmetic art given by board, and paid fees as required by article (present act includes same qualifications except those of a high school education, completion of 1500 hours of class work, and payment of fees; portion requiring practice of six months as apprentice cosmetologist is deleted). (6) Adds new section GS 88-12.1 to define qualifications for registered managing cosmetologist as person who has worked as registered cosmetologist for at least one year under direct supervision of registered managing cosmetologist and has passed examination of fitness to practice as managing cosmetologist given by board. (7) Adds new section GS 88-12.2 to require board to adopt regulations for licensing and operation of cosmetic establishments. (8) Amends GS 88-19 to require that for registration in NC, operators from states not having reprocity or comity provisions with NC or examining or licensing agency for cosmetologists, must have completed 1500 hours (now 1200) in college approved by board and must pass same examination as prescribed by board for initial registration of in-State cosmetologists (now, must pass examination prescribed by board under GS 88-20). (9) Rewrites GS 88-20 to require issuance of managing cosmetologist certificates to persons who were registered cosmetologist or registered managing cosmetologist on June 30, 1967, and whose registration was not suspended or revoked on that date, and who apply prior to July 1, 1969, upon payment of fee and furnishing of certificate of physical fitness. (10) Amends GS 88-21 and GS 88-25 to delete provisions for registration and renewal of certificate of apprentice

cosmetologist; to add provision for registration and renewal of registered managing cosmetologist (at same rates as present fees for registered cosmetologist); and to add provision for annual licenses of every person engaged in business of cosmetic art shop at fee of $5. (11) Amends GS 88-28 to delete reference to apprentices and to make it a misdemeanor, punishable by fine of $10-$50 or imprisonment for 10-30 days, to permit any person in one's employment or supervision to practice as registered managing cosmetologist without registration certificate. (12) Effective June 30, 1967, except that provisions of present GS Ch. 88 relating to apprentices "and the minimum 1200 hour curriculum" shall continue in force until June 30, 1969, with respect to persons who are apprentices or who have begun training in cosmetic art school by June 30, 1967; no credit to be allowed under Act after June 30, 1969, for training in any cosmetic art school prior to July 1, 1967.] To State Government.

SB 270 - Introduced by Kemp

"To rewrite Article 26 of Chapter 105, pertaining to the assessment of public service companies for taxation purposes." [Effective Jan. 1, 1968, completely revises Art. 26 of GS Ch. 105 concerning ad valorem taxation of public service companies, dividing said article into four divisions, providing as follows:

Division I. Definitions, Reports, Valuation and Assessment. (1) Constitutes State Board of Assessment as board of appraisers and assessments for public service companies (defined as including railroad, sleeping car, refrigerator and freight car, express, pine line, gas, gas transmission, electric power, telephone, telegraph, water, and trailer-on-flatcar companies; electric membership corporations; motor carriers of passengers and of property, and air carriers; all companies having right of eminent domain; and persons, corporations and fiduciaries engaged in similar businesses). (2) Defines, among other things, "real property", "intangible property", "tangible property", "tangible personal property", and"operating property" (all tangible and intangible property except that not used or connected with public service activities of taxpayers under Act). (3) Requires annual report containing information pertinent to valuation of property for taxes by all taxable public service companies, filed with Board by last day of March; authorizes Board to require additional information subject to $100 daily forfeiture payable into General Fund; authorizes Board to subpoena witnesses and compel production of records for purposes of Article with willful refusals made misdemeanors punishable by $500 fine. Requires Board to value property of each public service company at true value in money and assess such property in accord with this Article; property other than operating property excluded from valuation and assessment under Article and, if has taxable situs in NC, to be valued and assessed by county and municipal governments.

Division II. Assessment of Railroads and Utilities. (1) Requires Board to value operating property of railroads and utilities (all "public service companies" other than carriers and trailer-on-flatcar companies) by determining value of operating property both within and without NC, and apportioning and allocating said values as prescribed. In determining value of operating property, Board is to consider: value of operating property as reflected by capital stock and indebtedness of longer term than one year, with deductions of non-public service connected property; net investment in operating property as reflected in regulatory accounts; net operating income and probable future income before interest deduction; and other pertinent information. Prescribes ratios for apportionment to NC of operating property values for companies operating both within and without NC, as follows: railroad companies -- ratio of linear miles of NC right of way to total linear miles; electric membership corps., pipe lines, gas transmission, gas, electric power, and water companies, and companies with eminent domain -- ratio of net investment in NC operating property to total

net operating property investment; telephone and telegraph companies -- arithmetic average of net investment ratio plus ratio of miles of NC single wire and single wire in cable to total miles plus ratio of NC receipts from rentals and services to total receipts; express companies and sleeping car companies -- ratio of NC miles or routes to total miles or routes. Board may consider other factors reflecting true value (such as actual NC investment or gross revenue per mile) if it finds that above methods give more or less value than properly attributable to NC. (2) Provides for county and municipal gov'ts to value and assess the following operating property of taxpayers under this division: machine & repair shops, general office bldgs., storehouses and contents, located outside right-of-way of railroad companies; all tangible property except rolling stock of sleeping car and express companies; all tangible property of electric membership corporations, electric power and gas and water companies, and companies with eminent domain; all tangible property except pipe lines, pump and booster stations and right-of-way of pipe line and gas transmission companies; and all realty except right-of-way, poles, lines and conduits of telephone and telegraph companies. (3) Provides for Board to deduct from total value of taxpayer's operating property; (a) true value in money of operating property assessed by counties ("true value" to be determined by dividing assessed value in each county by county's assessment ratio, unless Board determines that some other ratio more correctly reflects said ratio); and (b) assessed value of any operating property reported to State for intangible property tax; remaining value after such deductions constitutes taxpayer's "corporate excess". (4) Provides for allocation of each taxpayer's corporate excess to localities as follows: railroad companies, pipe line and gas transmission companies-- proportionately to miles of line in each local taxing jurisdiction, giving consideration to differences in types of line or pipe; sleeping car and express companies--proportionately to miles of line in each taxing jurisdiction; electric membership corporations, electric power and gas and water companies, and companies with eminent domain -- proportionately to true value in money of operating property in each taxing jurisdiction; telephone and telegraph companies-- proportionately to miles of single wire and single wire in cable in each taxing jurisdiction, adjusted to reflect differences in cost and/or copper content. (5) Provides for assessment by Board (after determining corporate excess allocated to each locality) of corporate excess so allotted by applying county assessment ratio, unless other ratio to be used; resulting assessed values to be certified to county tax supervisors and municipal clerks, and local taxes to be levied against corporate excess at same rate as applicable to other property. (6) Makes corporations leasing railroad company property subject to taxation as directed for railroads; provides for foreign lessees or operating companies to be assessable also for property in NC other than that derived from lessor, but lessor not relieved from tax liability. (7) Provides for assessment of leased rolling stock of railroads under proviso as applicable to railroads, and apportionment and allocation to localities in same basis as for operating property; railroad companies are to pay tax and deduct taxes from rentals due owners unless lease provides otherwise; lessee relieved of tax if lessor reports and is liable for tax. (8) Provides for taxation of refrigerator and freight car companies owning refrigerator or freight cars operated over or leased to NC railroad companies or operated in NC to be taxed in same manner as sleeping car companies; if cars furnished to be run indiscriminately over lines at shipper's or railroad's will and owner is compensated by each road, Board is to ascertain and assess value of average number of cars in use in NC as part of road's necessary equipment for previous year and compute tax on this assessment. In distributing taxable valuation to counties Board is to give primary consideration to counties with greater car mileage; this tax is suspended, as to companies subject to gross earnings tax under GS 105-228.2, during continuance of said section.

Division III. Assessment of Carriers. (1) Directs Board to determine true value in money of trailers of trailer-on-flatcar companies by considering original cost less depreciation, replacement cost less depreciation, gross annual rental rate of leased trailers, or other pertinent information; portion of true value taxable to NC to be proportionate to ratio of NC mileage over which trailers moved to total such mileage; portion of value taxable to any locality to be proportionate to local mileage; lessor relieved of taxation where railroad lessee pays tax. (2) Directs Board to determine true value in money of motor carrier rolling stock by considering original cost less depreciation as reported on regulatory books, or replacement cost less depreciation, or other pertinent information; Board may consider gross annual rental rates where rolling stock owned but not operated by carrier is involved; lessee relieved of taxation if lessor pays tax. Portion of true value of rolling stock of carrier taxable to NC to be proportionate to ratio of NC mileage travelled by its rolling stock in preceding calendar year to total mileage; portion of value of rolling stock of passenger carrier taxable to any locality to be proportionate to local originating passenger revenue; portion of value of rolling stock of property carrier taxable to any locality to be proportionate to local revenue cargo tons handled. (3) Directs Board to determine true value of flight equipment of air carriers operating in NC by considering original cost less depreciation, replacement cost less depreciation, gross annual rental rate of leased equipment or other pertinent information. Portion of true value in money of flight equipment taxable to NC to be that protion of total value obtained by using arithmetic average of following ratios: ratio of aircraft arrivals and departures in NC in preceding calendar year to total arrivals and departures; ratio of revenue tons handled by carrier at airports in NC to total revenue tons; and ratio of carrier's originating revenue in NC to total originating revenue. Resulting figure to be apportioned to local taxing jurisdictions in proportion to number of aircraft arrivals and departures. (4) Provides for Board to assess properties of air carriers, motor carriers and trailer-on-flatcar companies by applying assessment ratios of counties, unless Board determines some other ratio is more correct; resulting assessed values to be certified to county tax supervisors and municipal clerks; local taxes to be levied at rates levied against other property.

Division IV. General Provisions. Prescribes notice, hearing and appeal procedures. Provides for priority of lien of taxes on real and personal property; and discharge of lien on real property. (Realty lien attaches to all property in taxing unit as of Jan. 1; liens of all units of equal dignity and superior to other prior or subsequent assessments, liens, etc., but not to affect relative priority prescribed by Revenue Laws for state taxes; priority not affected by transfer of title, receivership or bankruptcy. Personalty lien superior to other liens and rights, prior to subsequent, insofar as it represents taxes assessed against the property to which it attaches; otherwise, inferior to prior valid liens and superior to subsequent liens; first attaching lien to be superior as between liens of different units.) Specifies preferences to be accorded taxes in liquidation of debtor's estates, and provides for remedies for enforcement of liens. Specifies remedies and penalties for failure to pay tax (recovery of local tax with 50% penalty and 6% interest from due date, plus reasonable attorney fees; judgment may include mandamus ordering payment; subsequent taxes accruing during action may be included with penalties and interest in judgment, on filing of certificate of accruals by tax collector; in such actions assessed valuation fixed by Board as apportioned and certified to local taxing unit to be conclusive.] To Finance.

SB 271 - Introduced by Kemp

"Rewriting certain portions of the General Statutes pertaining to the State Board of Assessment." [Makes clarifying changes in GS 105-273 (creation of State Board of Assessment) and adds provision that on July 1, 1967 (and quadrennially thereafter) Commissioner of Revenue after consulting Board to appoint administrative officer (AO) of Board whose entire time shall be given to Board's work (now, Board may employ executive secretary and clerical assistance).

AO to serve at pleasure of Board with salary fixed by Governor and Advisory Budget Commission. Permits Board to allow AO to employ valuation and appraisal specialists and other needed assistants. All expenses to be paid from Intangible Personal Property taxes pursuant to GS 105-213 (see below). Amends GS 105-274 to require AO to take constitutional oath of office. Makes clarifying changes in GS 105-275 and constitutes Board as board of appraisers and assessors for certain types of property specified in GS Ch. 105, Art. 26 (Public Service Companies). Amends GS 105-275 by making the following changes in the list of Board's duties: (1) deletes requirement to "enforce provisions...[of] the Revenue Act;" (2) limits Board's recommendations to the Governor and General Assembly to matters concerning the Machinery Act (now, to make recommendations relative to taxation and revenue) (3) adds requirement to keep full, correct and accurate records of official proceedings, (4) deletes existing subparagraphs: (1) to confer with and advise boards of county commissioners, etc., (2) to prepare pamphlet or booklet for instruction of boards of county commissioners, etc., and (3) to perform the duties imposed upon Board with respect to classification and assessment of property. Adds new GS 105-277.1 imposing, subject to supervision of Board, following duties on AO; (1) to confer with and advise boards of county commissioners, etc. (subparagraph (1) deleted from GS 105-275 above is here re-enacted), (2) to prepare pamphlet or booklet for the instruction of boards of county commissioners, etc. (subparagraph (2) deleted from GS 105-275 above is here re-enacted except topic of revenue laws not to be covered by booklet), (3) to make studies of ratio of appraised value of real and personal property to market value in each county in year when real property is revalued in county and at other appropriate times and to publish results of studies; (4) to maintain a register of persons and associations available for employment by counties pursuant to GS 105-291 (employment of experts), to review work of registrants and to advise counties of complying registrants; provides that persons and associations may register with AO by filing resume of experience and statement of financial condition, address and ownership. Amends GS 105-213 by adding the amount appropriated by the General Assembly for maintenance and operation of Board to amounts to be deducted from intangibles collections prior to distribution to counties and municipalities. Adds provision to GS 105-327(g) (2) (powers and duties of county board of equalization and review) requiring county board to notify taxpayer by mail of action taken on his valuation request no later than 30 days after adjournment of board.] To Finance.

SB 272 - Introduced by Currie

"To allow savings and loan corporations to invest in a corporation organized to provide services for savings and loan corporations." [Adds to GS 54-21.2 (relating to savings and loan association investments) provision permitting NC or federal savings and loan associations having principal office in NC to invest in capital stock, obligations or other securities of any corporation organized under NC law when entire capital stock of such corporation owned, or to be owned, by savings and loan association; subject to following provisions: (1) original capital stock of corporation aggregate at least $300,000 from subscriptions and payments by at least 10 savings and loan associations; (2) no association to invest in such corporation in excess of 1% of assets of each association; (3) 90% of activities of corporation invested in must consist of originating, purchasing selling and servicing loans or participating interest in real estate loans or other investments authorized to be made by savings and loan associations doing business in NC, and performing clerical, bookkeeping, accounting, statistical and other activities as permitted by Commissioner of Insurance.] To Insurance.

SB 279 - Introduced by McLendon

"To authorize the State Registrar of the Office of Vital Statistics to prepare a new birth certificate for an adopted child which shall contain the full name, age, (at time of child's birth), race and birthplace of the deceased

husband of the adoptive mother of said child." [As title indicates; authority limited to certificate recorded in Volume 64, Page 030766, Office of Vital Statistics. Act does not entitle named child to inherit real and personal property by, through, or from individual named as father on amended birth certificate.] To Local Government.

SB 280 - Introduced by McLendon and Kemp

"To provide for refunds of the state sales and use tax to housing authorities." [Adds to GS 105-164.14(c) (relating to refund of sales and use taxes) provision extending sales and use tax refund privilege to housing authorities (now, applies to counties, incorporated cities and towns and sanitary districts) for purchase of tangible personal property. Effective July 1, 1967.] To Finance.

SB 281 - Introduced by Wood and Harrington

"Appropriating supplementary funds to the North Carolina Agricultural experiment station for research studies on improving the production and harvesting of Irish type potatoes in North Carolina." Appropriates from General Fund to North Carolina Agricultural Experiment Station for purposes indicated by title and for the indicated fiscal years the following amounts:

	1967-68	1968-69
A. Breeding and Varietal Development		
1. Personnel		
Professional (2 graduate assistants)	$ 6,000	$ 6,000
2. Equipment	2,000	2,000
3. Maintenance and Operations	7,000	7,000
Sub Total	$ 15,000	$ 15,000
B. Production Research for Mechanical Handling and Processing		
1. Personnel		
(a) Professional (Assistant Professor)	12,000	12,000
(b) Sub-professional (Technical)	7,000	7,000
2. Equipment	2,000	2,000
3. Maintenance and Operations	4,000	4,000
Sub Total	$ 25,000	$ 25,000
Total	$ 40,000	$ 40,000

Effective July 1, 1967.] To Appropriations.

SR 288 - (Joint Resolution) Introduced by Gilmore

"Honoring the memory of William B. Whitley". [As title indicates.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

SB 273 - (Union) Introduced by Griffin

"To amend Chapter 466 of the Session Laws of 1959 relating to salaries of the Mayor and City Councilmen of the City of Monroe." [Amends cited statute by: authorizing Monroe city council to fix salary of mayor (now, set at $75 per month), setting salaries of councilmen at $75 per month (now, $50 per month), and deleting authority of council to fix and pay reasonable compensation to members of city planning board.] To Salaries and Fees.

SB 274 - (Union) Introduced by Griffin

"To authorize the City of Monroe to furnish ambulance services." [Authorizes Monroe to furnish ambulance service in city and in Union County and to operate services in conjunction with Union County; such services may be conducted with and as part of rescue service operated by Monroe Fire Department. Monroe may set rates and charge for services rendered and any contract Monroe has entered into with Union County relative to furnishing rescue-ambulance service is validated.

Act is supplementary to any similar authority granted by general law.] To Local Government.

SB 275 - (Union) Introduced by Griffin

"To authorize the City of Monroe to dispose of or put to different uses certain property of the City." [Authorizes Monroe to dispose or put to different uses two parcels of land, each described by metes and bounds, and generally being: (1) Old Sewage Treatment Plant property and (2) Ellen Fitzgerald Hospital property. In event of sale Monroe authorized to use proceeds for entirely different or inconsistent purposes from that for which property used.] To Local Government.

SB 276 - (Mitchell) Introduced by Dent

"To set the salaries and provide for terms of office for certain officials of Mitchell County." [Repeals SL 1961, Ch. 259 (setting salaries of county accountant and assistant); Mitchell County Accountant to receive $7,500 (now, $6,000) and his assistant not less than $3,300 nor more than $4,200 (now, $3,300) from county General Fund in equal monthly installments. Each deputy sheriff and jailer to receive annual salary of $4,200 and Sheriff to receive annual salary of $5,200 all of which to be paid in equal monthly installments from county general fund, all expense allowances and other benefits now provided Sheriff, deputy, and jailors to be in addition to said salaries. Fees collected by Sheriff or deputies to be paid to County general fund; CSC and Register of Deeds authorized to annually expend amounts approved by Commissioners for clerical help, amount set not to be less than $1,500 nor more than $2,400. In 1968 primary and general elections and quadrennially thereafter, tax collector, register of deeds, and county accountant to be elected for 4-year terms and to take office on first Monday in December of year in which elected.] To Salaries and Fees.

SB 277 - (Yancey, Madison) Introduced by Briggs and Dent

"To authorize hunting of rabbits and squirrels with a pistol or revolver in Yancey and Madison Counties." [Amends GS 113-104 to make it lawful in cited counties to hunt rabbits and squirrels with pistol or revolver having barrel at least four inches in length and muzzle velocity of not under 1100 feet per second and bullet weight of not less than 35 grains or more than 70 grains.] To Local Government.

SB 278 - (Guilford) Introduced by McLendon

"To amend Chapter 400 of the Private Laws of North Carolina, Session of 1913, and Chapter 234 of the 1961 Session Laws of North Carolina, which together contain the legislative charter of the Moses H. Cone Memorial Hospital." [Revises method of appointment of three members of Cone Hospital Board of Trustees (15 member total Board) to provide that three members now appointed by Governor be elected by members of Board in office (bringing Board elected members to total of 12). Revises terms of office of Board members to provide for staggered (five per year) 3-year terms (now, irregular 4-year terms). Adds provision that if Greensboro Council, Guilford Commissioners or County Medical Society fail to make allotted appointments (1 member each in annual rotation) within 60 days after notice of vacancy or impending vacancy, Board to elect member to serve Trustee position until time designated for next appointment by defaulting agency.] To Local Government.

SB 282 - (McDowell) Introduced by Norton

"Authorizing the Board of Commissioners for the County of McDowell to fix the compensation of the judge and the prosecuting attorney of the County Criminal Court of McDowell County, within certain definite limits." [Authorizes board of commissioners of McDowell County to fix annual salary of judge of county criminal court at $3,200 to $5,300, and of Prosecuting Attorney of court at $2,600 to $4,500; both to be payable monthly out of general funds of county. Effective July 1, 1967.] To Courts and Judicial Districts.

SB 283 - (McDowell) Introduced by Norton

"To fix the compensation of certain officials of McDowell County and to repeal Chapter 893, Session Laws of 1959, as amended." [Repeals SL 1959, Ch. 893 (fixing salaries of county officials). Sets forth following powers and rates of compensation of county officials: (1) CSC to receive annual salary fixed by county commissioners of not less than $4,600 nor more than $6,500; salary to be full compensation for all services rendered by CSC as Juvenile Judge, clerk of county criminal court, and all other duties imposed on his office as CSC. (2) register of deeds to receive annual salary fixed by county commissioners of not less than $4,600 nor more than $6,100. (3) county commissioners to determine number of assistant clerks, deputies and others to be employed or appointed by CSC and register of deeds and to fix their salaries. (4) sheriff to receive annual salary fixed by county commissioners of not less than $5,000 nor more than $8,200 and expense allowance of $100 per month. (5) sheriff authorized to select and appoint chief deputy and assistant and two other deputies and, with approval of county commissioners, may appoint additional deputy sheriffs not to exceed four; further authorized to appoint office deputy or jailer whose salary is to be set by county commissioners at not less than $2,400 nor more than $3,600 per year and jail matron or clerical assistant to receive annual salary of $1,200, and may appoint as many part-time special deputy sheriffs as necessary (salaries to be set by sheriff but not to exceed total of $3,000 per year). (6) chief deputy to receive annual salary of not less than $4,200 nor more than $5,500; assistant chief deputy to receive annual salary of not less than $3,900 nor more than $5,200, and regular deputies to receive annual salary of not less than $3,600 nor more than $4,900, all to be fixed by county commissioners and payable monthly. (7) county commissioners to provide and maintain not less than two nor more than four automobiles for exclusive use of sheriff and his deputies and costs thereof, together with salaries of deputy sheriffs to be paid monthly from general fund, and (8) all fees for services rendered by sheriff's office for serving summons or other process to be accounted for to CSC and paid monthly by CSC to county commissioners and to be credited to general fund. Effective from and after July 1, 1967.] To Salaries and Fees.

SB 284 - (McDowell) Introduced by Norton

"To fix the compensation of the County Commissioners of McDowell County." [Amends SL 1953, Ch. 630 to set per diem of members of board of county commissioners other than the chairman, at $25 (now, $10) per day for attending regular and special meetings of board. Effective July 1, 1967.] To Salaries and Fees.

SB 285 - (McDowell) Introduced by Norton

"Relating to the employment of persons to assist the tax supervisor in McDowell County." [Deletes McDowell from list of counties exempted from GS 105-292 which provides that board of county commissioners may, upon recommendation of tax supervisor, appoint one or more assistant tax supervisors and employ such clerical assistants to tax supervisors as they deem proper and may delegate to such assistant tax supervisors responsibility for real property appraisal, listing and appraisal of business property or other duties.] To Local Government.

SB 286 - (McDowell) Introduced by Norton

"To amend Chapter 608 of the Session Laws of 1965 so as to exempt McDowell County from the provisions of said act." [Deletes McDowell from list of counties covered by provisions of SL 1965, Ch. 608, making the hunting of European wild boar legal, subject to prescribed conditions.] To Wildlife.

SB 287 - (New Hanover) Introduced by Burney
"To amend Chapter 616, Session Laws of 1957, relating to fees for the Clerk of the Superior Court and the Clerk of the Recorder's Court of New Hanover." [Adds to SL 1957, Ch. 616, Sec. 1 provision establishing fees to be charged by New Hanover Superior and Recorder's Court Clerks as follows: warrants of arrest in criminal and bastardy cases including affidavits or complaints - $2; warrants of commitments - $1; taking bond or recognizance - $1.] Passed three readings and sent to House.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging. (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6, and in Senate 4/11 and 4/13. Received for consideration of House request to appoint conference committee.

SB 62 - Highway markings, (Senate committee substitute 4/18). Passed second and third readings.

SB 147 - Rear view mirrors, as amended in House 4/17 and 4/18. Received for concurrent in the House amendments; failed to concur. Motion adopted to appoint conference committee.

SB 162 - Car financial responsibility. Reported favorably as amended.

SB 168 - Uniform jury commission. Postponed indefinitely.

SR 288 - (Joint Resolution) Memorializing Whitley. Passed second and third readings.

HB 105 - Highway plans recorded, as amended in House 3/9 and 3/14. Amended to authorize register of deeds in each county to collect fee from State Highway Commission of $.50 for indexing of each project and in addition fee of $5 for each original or amended plan and profile sheet recorded (amendment of 3/14 had set fee to be collected by register of deeds in same specified categories at amount applicable to indexing and recording of "instruments of a like nature;" original bill set fees in each of same specified categories at $.50). Passed second and third readings.

HB 348 - Uniform jury commission, as amended in House 4/17. Passed third reading.

HR 488 - (Joint Resolution) Anti-litter campaign. Passed second and third readings.

LOCAL BILLS

SB 287 - (New Hanover) CSC and recorder's court fees. Passed second and third readings.

Next session of Senate: 10:00 a.m., Friday, April 21, 1967.

BULLETIN NO. 52
Thursday, April 20, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 568 - Introduced by Short and Church
"To provide for research and extension in production, management and disease control in turfgrass in North Carolina." [Appropriates $22,000 from General Fund to NC Agricultural Experiment Station for each of fiscal years 1967-68, and 1968-69 and $26,500 to NC Agricultural Extension Service for each of fiscal years 1967-68, and 1968-69, and like amounts to each "for each fiscal year thereafter on a continuing basis" for research and extension in production, management and disease control of turfgrass. Effective July 1, 1967.] To Appropriations.

HB 573 - Introduced by Garren
"Appropriating funds to the North Carolina Apple Festival, Inc. at Hendersonville." [Appropriates from General Fund to NC Apple Festival Inc. $5,000 for promoting and conducting 1967 NC Apple Festival.] To Appropriations.

HB 574 - Introduced by Edwards
"To clarify Chapter 1157 of the Session Laws of 1965 relating to payment in installments of compensation of members and presiding officers of the General Assembly." [Makes cited Act applicable to members of General Assembly for 1965, 1966 and all subsequent years (now applies only to members for 1965 and 1966). Cited Act authorizes payment of legislators on either an installment or a per diem basis, at their election, and spells out procedures therefor.] To State Government.

HB 577 - Introduced by Clark of New Hanover
"To require alcoholic beverage control stores to sell their wares in containers of less than a pint." [Requires ABC stores to sell alcoholic beverages, or liquors, except wines, in containers of one-half pint or 1/10 gallon if such containers available from manufacturer. Effective July 1, 1967.] To Propositions and Grievances.

HB 580 - Introduced by McMillan of Robeson.
"To enact the Interstate Compact for Education." [Identical with SB 203, digested in the Senate section of Bulletin No. 40 (April 4, 1967).] To Education.

HB 582 - Introduced by Paschall
"To amend G.S. 147-45 so as to provide a copy of the Session Laws, a copy of the House and Senate Journals, and a copy of the Supreme Court Reports to The University of North Carolina at Charlotte and to Atlantic Christian College, and to correct the names of certain schools in said act." [As title indicates. Provides for one copy of each document to Atlantic Christian; and for one copy of Journals and Supreme Court Reports, and three copies of Session Laws, to UNC at Charlotte. Corrects names of NC State University at Raleigh, NC College at Durham, UNC at Greensboro, and East Carolina College.] To Finance.

HB 584 - Introduced by Craig and Strickland
"To provide for the suspension of operator's license of provisional licenses (between the ages of sixteen (16) and eighteen (18) years) upon request of parent, guardian, or person having custody." [Adds new GS 20-13.1 authorizing

Commissioner of Motor Vehicles to suspend operator's license of provisional licensee (any licensee under 18) upon receipt of notarized request executed by licensee's parents, guardian or any person having custody of licensee. Suspension to remain until licensee becomes 18 or suspension is rescinded following written request for rescission on approved forms by person who requested suspension or person having custody of licensee. Upon 18th birthday of suspended licensee, Department to forward license to last known address of licensee. No suspended licensee to be required to maintain proof of financial responsibility upon reinstatement of license solely because of suspension, except under Art. 13 (Vehicle Financial Responsibility Act of 1957); registered owner's liability insurance policy to insure licensee who is member of registered owner's household or anyone in lawful possession of his automobile.] To Highway Safety.

HB 587 - Introduced by Andrews

"Rewriting Part 8, Article 34, Chapter 106 relating to the disease of Brucellosis (Bang's disease) in animals." [Amends Part 8, Art. 34, of GS 106 to modify it as follows: (1) Brucellosis defined as disease infecting animal with Brucella organisms including Brucella abortus, B. melitensis and B suis (now, infected with Bang's disease). (2) State Veterinarian (SV) authorized to set up program for vaccination of calves in accord with recommendations of Brucellosis Committee of US Livestock Sanitary Association (now, US Bureau of Animal Industry) and approved by US Department of Agriculture. (3) Blood samples for Brucellosis testing shall be drawn by persons whose qualifications are set by regulation of State Board of Agriculture (Board) (now, by veternarian approved by SV and chief of US Bureau of Animal Industry for testing of cattle intended for interstate shipment). (4) All cattle, swine, or goats sold, or offered, at public sale, except for immediate slaughter, "shall be subject" to test requirements established by Board (now, all dairy and breeding cattle over six months old offered or sold at public sale, except for immediate slaughter, shall be negative to a Bang's test made within 30 days prior to sale and approved by SV, provided certain exceptions may be made by SV.) (5) No tages or marks of identification approved by Commissioner of Agriculture for animals for purposes of Brucellosis testing, including testing at slaughter plants, shall be removed without authorization of SV (new). (6) When SV believes any animals to be infected with Brucellosis or exposed to it he shall quarantine said animal on premises of owner or other place mutually agreeable with owner, until such time as released by SV. SV may permit move of infected or exposed animals to immediate slaughter. Board may provide for compulsory testing of animals for Brucellosis (now, SV shall recommend that animals he believes infected with disease be tested, that diseased animals be disposed of, and premises disinfected. If owner shall fail or refuse to comply with recommendations within 10 days the SV shall quarantine said animals on premises of owner until such time as recommendations complied with and quarantine released by SV). (7) Deletes from provision for compulsory testing of all cattle in county where cooperation of State, federal government, and board of county com missioners has been effected, the specific requirement that no cattle, except for immediate slaughter, be brought into county unless accompanied by test chart and health certificate issued by qualified veterinarian, showing passage of a proper test for "Bang's disease.] To Agriculture.

LOCAL BILLS INTRODUCED -- HOUSE

HB 567 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones

"Authorizing the City of Charlotte to preserve the integrity of municipal plans by the regulation of buildings in mapped streets." [Provides that from time Charlotte Council adopts master plan or has progressed to stage in master planning sufficiently,in either case, to adopt major street plan City Council authorized to have surveys made of exact location of new, extended, widened or narrowed streets

in all or part of municipality or authorized planning area. Plat of area surveyed, indicating street plan to be certified by city engineer to Council. After certification of major street plan Council may establish official map of municipality showing location of existing public streets; map may also show location of streets on subdivision plats previously approved by municipal planning commission. Council to certify establishment of official map to Mecklenburg recorder. Provides for later additions to official map of streets existing at time of establishment of map; subject to public hearing and notice requirements Council may make other additions or modifications of official map involving new, extended, widened, narrowed or vacated streets after submission of proposed modifications to Charlotte Planning Commission and Traffic Engineer for approval. Certification of plat or alteration of map not to constitute establishment of street. Provides that no building permits be issued within streets as they appear on official map, but Board of Adjustment empowered to grant permit after hearing appeal. Board action only after notice and hearing and in rendering decision favorable to appellant Board empowered to designate specifications for location, structure and duration of building. Expecting streets established as public streets at date of official map no public water, sewer or other utilities or improvements to be constructed in any street until street on official map. Building permits not to issue unless proposed building located on street existing at time of, or appearing on, official map. Board of Adjustment to hear appeals and may grant permits, subject to such conditions as it may impose, where circumstances do not require building to be related to existing or mapped streets and where permitting building would not distort carrying out official map of Charlotte master plan. Act restricted to Charlotte.] To Counties, Cities and Towns.

HB 569 - (Harnett) Introduced by Staton and Love

"To fix the compensation of the mayor and members of the governing body of the Town of Lillington in Harnett County." [Authorizes Lillington governing board to set mayor's salary up to $60 per month and salaries of governing body up to $40 per month. Authority not to be effective until after 1967 regular municipal election.] To Counties, Cities and Towns.

HB 570 - (Iredell) Introduced by Tolbert

"To provide for the nomination and election of members of the board of education of Iredell County." [Provides for 5-member Iredell Board of Education, two to be nominated and elected at 1968 primary and general election, one in 1970, and two in 1972 for terms of 6 years. Successors to be nominated and elected biennially thereafter to replace board members whose terms expire. Vacancies occuring because of death, resignation, etc., to be filled for remainder of term by remaining board members; candidate vacancy occurring before general election, because of death, resignation, or other reason to be filled by executive committee of political party of which such candidate was a member. Elections to be conducted in accordance with primary and general election laws for county officers as provided in GS Ch. 163 and elected members to take office on first Monday in December in year elected; present members to hold office until terms of office expire and their successors are nominated.] To Education.

HB 571 - (Bladen) Introduced by Clark

"To amend Article 2, Chapter 161 of the General Statutes relating to the duties of the Register of Deeds of Bladen County." [Amends GS 161-12 by adding proviso requiring Bladen County Register of Deeds to collect all fees for registration of instruments recorded in his office and to daily deliver to CSC all real estate instruments for probate. Amends GS 161-13 (provides for forfeiture of $100 by CSC upon failure to deliver written instruments and fees to register of deeds) to exempt Bladen County.] To Local Government.

HB 572 - (Beaufort) Introduced by Roberson

"To repeal Chapter 587 of the Session Laws of 1965." [Repeals SL 1965 Ch. 587 setting Beaufort School District Committee No. 3 membership to seven.] To Education.

HB 575 - (Moore, Lee) Introduced by Auman, Love, and Staton

"To amend Article 3A, Chapter 69 of the General Statutes, to allow the Town of Cameron to form a rural fire protection district." [Authorizes Town of Cameron to establish Cameron Rural Fire Protection District, as described by metes and bounds notwithstanding contrary provisions of GS Ch. 69, Art. 3A (requires election for establishment of rural fire districts); all other provisions of Art. 3A to apply. Moore and Lee Counties to share costs and taxes as provided in GS 69-25.9.] To Counties, Cities and Towns.

HB 576 - (Randolph) Introduced by Garner and Blake

"Authorizing the Asheboro City Board of Education to convey certain real property to the Randolph Technical Institute." [Authorizes Asheboro City Board of Education to convey without consideration to Board of Trustees of Randolph Technical Institute, tract of land in Asheboro Township as described by metes and bounds subject to following restrictions: (1) property must be used for industrial purposes only; (2) no building may be erected that is within 10 feet of street abutting front of land, within 10 feet of any street that may be built abutting side of lot, or within 10 feet of any boundary line of lot. Provides that if Randolph Technical Institute Board of Trustees or their successors cease to operate technical or industrial education center on said tract, title to revert to Asheboro City Board of Education or its successors.] Passed second and third readings and sent to Senate.

HB 578 - (Mitchell) Introduced by Issac

"Directing the Board of Commissioners of Mitchell County to appropriate $1200 to the North Carolina Rhododendron festival on Roan Mountain in Mitchell County." [Directs Mitchell Commissioners to appropriate $1200 (annual installments of $600, 1967 and 1968) to Rhododendron Festival Directors to be used to attract visitors to festival and NC mountain areas and for other necessary festival expenses.] To Local Government.

HB 579 - (Avery, Mitchell, Watauga) Introduced by Issac

"Amending G.S. 14-129 (relating to the taking of certain wild plants from the land of another) as the same applies to Avery, Mitchell and Watauga Counties." [Makes GS 14-129 applicable to Mitchell County (already applicable to Avery and Watauga Counties) and increases fine limits for unauthorized taking of wild plants (specified, but generally ornamental plants, shrubs and trees) from land of another or public domain to $50 - $200 (now, $10 - $50). Adds provision extending protection of cited section to plants, shrubs, trees or seedlings grown as nursery stock on land of another or public domain. Applicable to Avery, Mitchell and Watauga Counties.] To Judiciary 1.

HB 581 - (Yadkin) Introduced by Haynes

"Relating to the election of the mayor and the Board of Commissioners of the Town of Jonesville in Yadkin County." [Provides for biennial election of mayor and 5-member board of commissioners beginning with 1968 municipal elections; candidates for mayor and commissioners to be nominated as follows: (1) candidate for mayor and five candidates for commissioner to be nominated at town meeting held not less than four nor more than six weeks preceeding date of biennial municipal election, date, time and place to be set by town governing body and notice to be given in newspaper published and circulated in Jonesville once a week for four successive weeks preceding election; period between publication of first notice and fourth notice to be at least 20 days excluding days of first and last

publication; and (2) any qualified voter not nominated at town meeting may file notice of candidacy for office with town clerk not later than 15th day preceding date of election. No filing fee to be charged any candidate; five candidates for commissioners and candidate for mayor receiving highest vote to be elected.] To Local Government.

HB 583 - (Buncombe) Introduced by Hutchins, Harkins, Jordan and Greenwood
"To make Chapter 152A of the General Statutes, providing for a County Medical Examiner, applicable to Buncombe County." [As title indicates.] To Counties, Cities and Towns.

HB 585 - (Anson) Introduced by Mills
"Relating to the compensation of the Board of Commissioners of the Town of Wadesboro." [Amends SL 1959, Ch. 690 by repealing $30 fixed monthly salary for Wadesboro Commissioners and authorizing Commissioners to set their salary at amount not exceeding $100 per month.] To Local Government.

HB 586 - (Anson) Introduced by Mills
"To authorize certain towns in Anson County to furnish water service outside the corporate limits." [Authorizes towns of Lilesville, McFarlan, Morven, Peachland, and Polkton to furnish water service to users outside of but within one and one-half miles of corporate limits.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 194 - Extending embezzlement. Received from Senate; sent to Judiciary 2.
SR 221 - (Joint Resolution) Tobacco inspector pay hike. Postponed indefinitely.
SR 288 - (Joint Resolution) Memorializing Whitley. Received from Senate; passed second and third readings.

HB 143 - Motorcycle licensing, as amended in House 3/24. Floor amendments adopted which: (1) amends GS 20-7(L) to exempt applicants for motorcycle licenses from requirements for applicants for other motor vehicles and to authorize Department of Motor Vehicle's to establish reasonable rules and regulations permitting applicants to learn to operate motorcycles; and (2) make technical changes. Passed second reading.
HB 159 - Ambulance services (House committee substitute 4/11), as amended in House 4/18. Passed third reading.
HB 314 - Abolishing capital punishment. Failed to pass second reading.
HB 349 - Registering instruments. Reported favorably as to committee substitute. Committee substitute adopted which: (1) provides that in event register of deeds denies registration of instrument, person offering instrument for registration may present instrument to district court judge of district in which instrument is to be registered or to superior court judge if district court has not yet been established (originally, appeal was to CSC) for review of register of deeds action; (2) amends GS 161-10 to add to fees charged by register of deeds 25¢ for certification of instruments for registration; and (3) makes technical changes.
HB 383 - Corp. franchise tax changes. Reported favorably.
HB 448 - Minimum tax refunds. Reported favorably.
HB 451 - Library, recreation taxes. Reported favorably.
HB 452 - Delinquent city taxes. Reported favorably as amended.

HB 481 - Criminal evidence review. Reported favorably.
HB 510 - Storing assessment information. Reported favorably.
HB 513 - Theater girls working hours. Reported favorably.

LOCAL BILLS

SB 222 - (Wilkes) Surveyor registration. Received from Senate; sent to Judiciary 2.
SB 287 - (New Hanover) CSC and Recorder's Court fees. Received from Senate. Floor amendment adopted making technical change. Passed second and third readings.

HB 182 - (Buncombe) Asheville cigarette tax. Reported unfavorably.
HB 534 - (Pasquotank) Conveyance to museum. Passed second and third readings.
HB 576 - (Randolph) Asheboro land transfer. Passed second and third readings.

Next session of House: 9:00 a.m., Friday, April 21, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 53
Friday, April 21, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 289 - Introduced by Morgan and others
"To revise existing laws governing local jails." [Identical with HB 591, digested in the House section of today's bulletin.] To Correctional Institutions.

SR 290 - (Joint Resolution) Introduced by Morgan and others
"Creating a commission to study existing jail conditions and related problems of state and local government." [Identical with HR 590, digested in the House section of today's bulletin.] To Correctional Institutions.

SB 292 - Introduced by Warren, and others.
"To make certain supplementary, clarifying and technical amendments to the "Judicial Department Act of 1965" (General Statutes, Chapter 7A) and for other purposes." [As title indicates. Makes following changes in Chapter 7A; and other chapters of General Statutes: Amends 7A-43.2 to (a) provide for full-time assistant solicitors, to be authorized by Administrative Officer of the Courts (AOC), upon demonstration of need, (b) to permit assistant solicitors to be paid for out-of-court work, limiting their per diem to 5 days per week; and (c) provides travel and subsistence allowances for assistant solicitors. Rewrites 7A-43.3 to make clear that county can provide assistant solicitor whether State has authorized one or not. Amends 7A-101, adding subsection permitting AOC to grant merit pay increases, within population pay groups set out to clerks of superior court. 7A-104 (bonding of clerk) repealed, and replaced with provision superseding G.S. 2-6 with modern grounds and procedures for removal of clerk of superior court (similar to that for removal of district court judge). Amends 7A-105 to permit blanket bonding of CSC. Rewrites and expands chart in 7A-133, specifying number of judges and full-time assistant prosecutors per district, and number of magistrates and additional seats of court per county. Amends 7A-144 to provide that district court judge's salary shall be as set forth in Budget Appropriations Act, and to permit reimbursement for intra-county travel of judge. Amends 7A-148 to authorize chief district judges to prescribe uniform bail policies; and directs judges to prepare uniform traffic ticket for statewide use by 1970. Amends 7A-161 to provide that prosecutor's salary shall be as set forth in Budget Appropriations Act, and to permit reimbursement for intra-county travel of prosecutor. Amends 7A-164 to provide that full-time assistant prosecutor's salary shall be as set forth in Budget Appropriations Act, and to permit reimbursement for intra-county travel. Amends 7A-165 to (a) permit part-time assistant prosecutors to receive per diem for out-of-court work, (b) to limit per diem to 5 days per week, and (c) to authorize intra-county travel reimbursement for for part-time assistant prosecutors. Amends 7A-171 to require CSC, in submitting magisterial nominations

to appointing judge, to submit two names (or more if requested by appointing judge) for each vacancy, clarifying former language. Amends 7A-180 to give CSC authority to set bail in certain traffic cases in which offender waives preliminary hearing, bail to be in accordance with schedule supplied by chief district judge. Amends 7A-181 to give assistant and deputy CSC's same authority as CSC in sitting bail [see immediately preceding amendment]. Amends 7A-182 to provide for joint office of CSC in Rocky Mount, staffed by assistant and deputy clerks from Nash and Edgecombe counties. Adds 7A-199 to provide special venue rule for district court when sitting in Rocky Mount. Amends 7A-255 to remove restriction on geographic effectiveness of civil summons,

Amends 7A-292 to add various specific JP-type functions to list of quasi-judicial and ministerial functions magistrates may perform. Adds 7A-293 to provide limited inter-county authority for magistrate, in criminal matters, when assigned to municipality in more than one county. Amends 7A-304 (a) to provide that in criminal cases costs shall not be assessed against defendant sentenced to active term of confinement unless judgement specifically so provides. Amends 7A-304(a)(2) to enlarge use by county or city of facilities fee to include reimbursement for expense of construction or renovation of facilities (without incurring bonded indebtedness). Adds 7A-304(d) to provide priorities for distribution of partial payments into CSC's office, when payor ceases payments and is unlikely to resume same, permitting clerk to close out books on inactive accounts after one year's inactivity. Amends 7A-305 to add Court of Appeals as a court in which costs of appellate transcripts are assessable; and adds fees of interpreters as a legitimate cost of court. Amends 7A-308(a) to delete commitments of mentally ill, etc., registration of professional and technical persons, and pistol permits as items for which CSC charges a fee; adds "funds placed with the clerk by virtue of his office and invested by him" to funds for which clerk may deduct 3% commission. Adds new 7A-317, deleting requirement that counties and cities advance court costs when they are plaintiff, petitioner, etc. Amends 7A-341, providing that salary of AOC shall be fixed in Budget Appropriations Act. Amends 7A-342, providing that salary of assistant AOC shall be fixed in Budget Appropriations Act, and deleting requirement that office assistants of AOC be subject to the State Personnel Act. Amends 2-3 and 2-4, adding proviso that old system for bonding of CSC inapplicable in counties with new district courts. Amends 2-42 to delete four subsections requiring various professional and technical persons to register with CSC. Amends 20-42(b) to require Dept. of Motor Vehciles to furnish free certified copies of certain records for official use. Amends 84-16, making district court judges (if lawyers) honorary members of State Bar, relieving them of $20 annual fee. Amends various sections of Chapter 90, deleting requirement that various professional and technical persons register with CSC. Amends 105-93, reversing Attorney General ruling that process tax is applicable in district court counties. Amends 114-2(1), changing "Supreme Court" to "Appellate Division" to make it clear that AG represents State before Court of Appeals. Amends 143-166, deleting requirement that CSC in district court counties report names of cases in which LEOB&RF fee collected. Amends 4 sections of Chapter 147, transferring from Secretary of State to AOC responsibility for sale and distribution of copies of Supreme Court reports. Amends Sec. 7A-6(b), Chapter 108, Session Laws of 1967, ratified 29 March 1967, by adding sentences authorizing AOC to contract for printing of Supreme Court (and Court of Appeals) reports, after consultation with Division of Purchase and Contract.

Repeals G.S. Ch. 7 (Articles 32-35A) (unused local court acts), and G.S. 83-14, 90-17, 90-19, 90-20, 90-135, 90-152, 90-196 (dealing with registration of professional and technical persons with CSC); and makes various other minor clarifying and technical amendments. Effective July 1, 1967.] To Courts and Judicial Districts.

LOCAL BILLS INTRODUCED -- SENATE

SB 291 - (Wayne) Introduced by Warren
"To amend the Charter of the City of Goldsboro, North Carolina, as revised, reorganized and amended by Chapter 447 of the Session Laws of 1961." [Increases annual salary of Goldsboro Aldermen to $1200 (now, $400) to be paid in installments determined by Board (now, semiannually). Effective July 1, 1967.] To Counties, Cities and Towns.

SB 293 - (Madison) Introduced by Briggs
"To provide for the election of the Board of Education of Madison County, (notwithstanding provisions of Article 5, Chapter 115 of General Statutes)". [Provides for non-partisan election of 5-member Madison Board of Education in 1968 general election and quadrennially thereafter. Any resident county elector eligible for election upon payment of filing fee ($10) to county board of elections within filing period for primaries. Candidates not to declare party affiliation and not to run in primaries. Provides for form of ballots and filling of vacancies by remainder of board for unexpired term or until next general election, whichever comes first. Persons elected to qualify by oath of office prior to taking office first Saturday in Feb. following election. Specifies that GS Ch. 115, Art. 5 (relating to county boards of education) not applicable to Madison where in conflict with provisions of Act.] To Education.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6, and in Senate 4/11 and 4/13. The President announced the appointment of the following conferees: Henkel, Burney, McLendon, Buchanan, Bailey. Conference report adopted. [Conference report digested in House section of today's bulletin].

SB 147 - Rear view mirrors, as amended in House 4/17 and 4/18. The President announced the appointment of the following conferees: Whitehurst, Buchanan, McLendon.

SB 162 - Car financial responsibility. Amendment adopted making technical clarification. Passed second and third readings.

SB 267 - Diver's flag. Reported favorably.

SB 279 - Special birth certificate. Reported favorably.

LOCAL BILLS

SB 197 - (Cleveland) Kings Mtn. beer-ABC vote. Reported favorably as to committee substitute.

SB 287 - (New Hanover) CSC and recorder's court fees, as amended in House 4/20. Received for concurrence in House amendment; concurred.

HB 425 - (Robeson) Pembroke mayor salary. Passed.

HB 426 - (Robeson) Lumber Bridge elections. Passed.

HB 534 - (Pasquotank) Conveyance to museum. Received from House; sent to Counties, Cities, and Towns.

BILLS RATIFIED

SR 288 - (Joint Resolution) Memorializing Whitley. [R 43]

HB 345 - Highway comm'n meetings. [Ch. 217]

HB 348 - Uniform jury commission, as amended in House 4/17. [Ch. 218]

HB 370 - (Duplin) Special purpose taxes. [Ch. 219]

HB 408 - (Carteret) Emerald Isle boundaries. [Ch. 220]

HR 488 - (Joint Resolution) Anti-litter campaign. [R 42]

HB 576 - (Randolph) Asheboro land transfer. [Ch. 221]

Next sessions of Senate: 9:00 a.m., Saturday, April 22, 1967, for consideration of local bills only.
8:00 p.m., Monday, April 24, 1967.

BULLETIN NO. 53
Friday, April 21, 1967

Session: House 9:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 590 - (Joint Resolution) Introduced by Johnson of Duplin and others
"Creating a commission to study existing jail conditions and related problems of state and local government." [Creates ten-member Jail Study Commission. Six are appointed as follows: two by Governor (one designated chairman); two by President of Senate; two by Speaker of House. Four are presidents (or their representatives) of NC Association of County Commissioners, NC League of Municipalities, NC Sheriffs' Association and NC Police Executive Association. Commission to study local jails and consider the following: (1) economic and practical problems of local governments maintaining adequate jails; (2) use of jails for alcoholics, mental patients and children; (3) role of state and local government in jail administration; (4) lack of detention facilities for children. Commission authorized to employ necessary clerical help. Members to receive per diem, subsistence and travel generally allowed State boards and commissions. Commission to report its findings and recommendations to 1969 General Assembly. Identical with SR 290.] To State Government.

HB 591 - Introduced by Johnson of Duplin and others
"To revise existing laws governing local jails." [Re-writes G.S. 153-9(8) (dealing with power of boards of commissioners to erect county buildings) to specifically include courthouses (now required in each county under G.S. 153-49). Rewrites GS Ch. 153, Art. 7 entitled "Local Confinement Facilities" (now, "Courthouse and Jail Buildings") as follows: defines legislative intent to improve jails through minimum standards, improved state services and training. Establishes Division of Jail and Detention Services, State Welfare Department under administration of Commissioner of Welfare (Comm'r) to co-ordinate specified jail services. Requires Comm'r to develop and publish minimum standards relating to specified areas of jail operations in consultation with specified organizations representing local government and law enforcement, and with designated state departments (Prison, Health, Mental Health, Insurance). Standards to be approved by State Welfare Board, effective only upon approval of Governor, to be effective January 1, 1969. Requires semi-annual jail inspections, written inspection reports within 30 days to responsible local officials, who must initiate corrective action. If standards not met and Comm'r considers jail conditions jeopardize custody, health or welfare of prisoners, Comm'r to notify local officials and resident superior court judge; local governing body must call special public meeting to consider report, with state inspectional personnel present. Local governing body must begin corrective action within 30 days, to be completed within reasonable time, may voluntarily close jail, or Comm'r may close jail with notice to local government and resident judge by registered mail. If local government appeals, hearing provided before resident judge.

Requires local officials operating jail to provide continuous prisoner supervision. Governing body of local government operating jail required to develop medical care plan for prisoners, including services of physician to comply with GS 130-97 (requiring veneral disease examination within 48 hours after commitment) and GS 130-121 (requiring prisoner physical examination within 48 hours after admission), subject to approval of local health director. Jail deaths to be reported to State Welfare Department and local health director. Requires plan to provide for emergency medical care, and if physician designated by plan not available, jail personnel to secure services from any licensed physician available. Failure to supervise jail, to make medical plan or to report jail death is misdemeanor

Requires State Board of Health to: (1) Make rules and regulations governing sanitation and food handling in jails, to be incorporated in minimum standards under act; (2) prepare score sheet for sanitary inspections of jails and jail kitchens by local sanitarians, who must approve or disapprove same for public health purposes.

Requires Comm'r to provide training program for jail personnel through existing state educational resources in consultation with specified organizations. Prohibits person without approved training from serving as jailer except on temporary or probationary basis of not more than one year. Eliminates required racial segregation in jails; requires separation of male and female prisoners. Rewrites GS 153-50 (now, authorizing contiguous counties to construct district jails) to allow any two or more local governments to construct, finance and operate a district jail and to appoint a district jail administrator. Amends GS 162-22 to authorize any board of county comm'rs to appoint a person other than sheriff as jailer. Repeals the following: GS 71-2 (requiring separate schools, State Hospital and jail accommodations for Indians); GS 153-179 (requiring jailer to furnish water and feed prisoners "not less than one pound of wholesome bread, one pound of good roasted or boiled flesh..."); GS 153-180 (dealing with fees of jailers). Appropriates $250,000 for 1967-69 biennium from General Fund to State Welfare Department for (1) development of district jails; (2) demonstration jail programs; (3) training of jail personnel; (4) to match funds from other sources for (1) and (2) above, providing standards are met. Effective July 1, 1967. Identical with SB 289.] To Penal Institutions.

HB 592 - Introduced by Godwin of Gates and Culpepper

"To amend Chapter 15 of the General Statutes to authorize district court judges to make determinations of indigency, appoint counsel, and fix counsel fees in preliminary examinations in felony cases." [Adds new GS 15-15.4 to authorize district court judges in felony cases only to make determinations of indigency and to appoint counsel pursuant to GS 15-4.1 and GS 15-5.1. Appointed counsel who represents accused at preliminary hearing entitled to fee fixed by district court judge pursuant to GS 15-5. Effective June 1, 1967.] To Courts and Judicial Districts.

HB 593 - Introduced by Leatherman

"Enabling the counties of the State to hold a special election for the purpose of considering whether the county shall or shall not impose and levy a sales and use tax of one per cent (1%) upon the sale, use and other taxable transactions upon which the State now imposes a three per cent (3%) sales and use tax." [Adds to GS Ch. 105, Art. 5 (Sales and Use Tax) new division titled "Local Option Sales and Use Tax Act" providing that counties may by special election adopt and levy a one per cent (1%) sales and use tax as follows: Authorizes any county board of elections to call special election on cited question either on written request of board of county commissioners or petition by voters equal to at least 15% of votes cast in county for governor at last election; election to be held under rules for election of General Assembly, no new registration required, elections board to give at least 20-days notice prior to opening of registration books, form of ballot prescribed, and election not to be held on day of biennial election for county officers (or within 60-days thereof) nor within 3 years from date of prior election which approved tax. Upon vote favoring tax, commissioners may adopt tax and it shall be imposed on 1st day of month following 90 days from adoption of resolution; Revenue Comm'r to begin administration of tax upon receipt of election certification and commissioners' resolution. Sales tax limited to 1% of sales price and gross receipts of items now subject to State 3% sales tax pursuant to GS 105-164.4(1), (2), (3), and (4). Makes exemptions set out in GS 105-164.13 applicable to sales tax and prohibits county from altering exemptions. Makes sales tax applicable to retail sales, leases, rentals, rendering of services, furnishing of lodging and other taxable transactions by retailers whose place of business located within taxing county, without regard to whether sale of tangible personal property involves delivery in another county or such property is leased or rented for location in another county. Sales tax not applicable if such property delivered by retailer or agent to the purchaser outside State or to common carrier for delivery outside State.

Sets use tax at 1% of cost price of items now subject to State 3% use tax pursuant to GS 105-164.6, when items purchased to be used, consumed or stored in taxing county. Prohibits imposition of use tax as between counties. Provides that where retail sales or use tax was paid to taxing jurisdiction outside State, purchaser to pay Comm'r of Revenue difference between amount paid and the sum of state and local use taxes (4%). Directs Comm'r of Revenue to collect and administer local sales and use taxes and to adopt rules for administration; authorizes Comm'r to adopt retail bracket system designed for fair and equitable collection of local sales and use taxes. Requires retailers (as trustee for county) to collect taxes as part of sales price, cost price, rental price, or charge for rendering of services. Requires taxes to be itemized separately from sales price or cost price and State sales tax, and states intent that tax is to be passed on to purchaser instead of being borne by retailer. Requires Comm'r to adopt and furnish to retailers necessary forms for reporting and collecting taxes. Requires Comm'r to distribute quarterly amount collected for each taxing county to county and municipalities within county. Requires Comm'r to prorate collections between county and its municipalities in proportion to total amount of ad valorem taxes levied by each unit during fiscal year preceding distribution; amount of ad valorem levy of each unit to include such taxes levied in behalf of taxing districts, and such taxing districts to receive prorata share in proportion to unit levy. Makes provisions of Art. 5 and administrative interpretations applicable except where inconsistent; makes penalty provisions applicable. Effective July 1, 1967.] To Finance.

HB 594 - Introduced by Short and others

"To extend coverage under motor vehicle liability policies." [Deletes from GS 20-279.21(e) provisions that motor vehicle liability policy need not insure any liability for bodily injury to or death of employee of insured while engaged in employment, other than domestic, of the insured, or while engaged in operation, maintenance or repair of any such motor vehicle. Effective July 1, 1968.] To Insurance.

HB 596 - Introduced by Stewart

"To amend G.S. 143-117 to add the alcoholic rehabilitation centers to the list of state mental institutions." [Amends cited statute to add alcoholic rehabilitation centers to list of institutions whose admittees now required to pay actual cost of their care, treatment, training and maintenance at such institutions. Act to apply to all persons now or hereafter residents at alcoholic rehabilitation centers including those with accounts now due.] To Mental Institutions.

LOCAL BILLS INTRODUCED -- HOUSE

HB 588 - (Richmond) Introduced by Hunter

"Relating to the governing body of the Town of Ellerbe in Richmond County." [Provides for election of five commissioners of Ellerbe (now, three) at regular municipal election in 1969. Two elected commissioners receiving highest votes to serve 4-year terms; three receiving lowest votes to serve 2-year terms. In 1971 and quadrennially thereafter, three commissioners to be elected for 4-year terms; in 1973 and quadrennially thereafter, two commissioners to be elected for 4-year terms. All terms to commence on first Monday in July of year elected. Authorizes governing body of Ellerbe to fix salaries of mayor and town commissioners.] To Local Government.

HB 589 - (Rockingham) Introduced by McMichael

"To authorize the Board of County Commissioners of Rockingham County to transfer to the General Fund a certain unused balance in the debt service fund." [Authorizes Rockingham county commissioners to transfer by resolution present unused balance of $12,029 in county debt service fund to general fund.] To Counties, Cities and Towns.

HB 595 - (Catawba) Introduced by Mullinax
"To provide for election in the Town of Maiden, upon the question of adopting Plan D-City Manager form of government." [Requires Maiden governing body to call, within one year from date of ratification of act, special election on whether Plan D-City Manager form of government to be adopted. Election to be conducted pursuant to laws governing election of mayor and members of board of aldermen. Prescribes form of ballot. Provides that if majority of votes favor, new plan to be operative from and after first day of July, 1968. Refers to Plan D form of government as set out in GS Ch. 160, Art. 22, Part 4, but provides that GS 160-340 (number and election of city council), GS 160-345 (election of mayor) and GS 160-339 (governing body) as it relates to elections, shall not apply to Maiden. Provides that governing body shall continue to be known as board of aldermen and mayor, and members shall continue to be elected as now provided by law. Provides that all ordinances, resolutions, etc., of town and any commission, committees, etc., existing at time of proposed change continue in full force until repealed or modified.] To Local Government.

HB 597 - (Guilford) Introduced by Whitley, Exum, Edwards, Phillips, and Short
"To amend Chapter 144 of the Public-Local Laws of 1937, as amended, relating to the Civil Service Act of the City of High Point." [Amends Pub-Loc 1937, Ch. 144 to delete requirement that rules of High Point civil service commission include "sex" and "race" as reasons for rejection of applicants for civil service employment.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 2 - Brown bagging, (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6, and in Senate 4/11 and 4/13. Conference report adopted that: (1) accepts Senate amendment number 13 which deleted prohibition against issuance of permit for special occasions in dry counties and (2) accepts Senate amendment 2a, as modified to permit possession and consumption of alcoholic beverages not in public view on other private property "not primarily engaged in commercial entertainment" (quoted words added to previous Senate amendment) and not open at time to general public, with express permission of possessor of property, but not to permit possession or consumption on premises for which permit is required under GS 18-51(3), (4), and (5).

SB 3 - Continuing teacher contract. Passed second and third readings.

SB 62 - Highway markings, (Senate committee substitute 4/18). Received from Senate; sent to Roads.

SB 117 - Headlight use hours, as amended in Senate 3/21 and in House 3/24, 4/11 and 4/14. Vote by which passed third reading reconsidered. Bill tabled.

SB 147 - Rear view mirrors, as amended in House 4/17 and 4/18. Received for consideration of Senate request to appoint conference committee. Motion adopted to appoint conference committee; the Speaker appointed the following conferees: Gregory, Exum, and Bryan.

HB 105 - Highway plans recording, as amended in House 3/9 and 3/14 and in Senate 4/20. Received for concurrence in Senate amendments.

HB 143 - Motorcycle licensing, as amended in House 3/24 and 4/20. Passed third reading.

HB 321 - Pay for aged care. Passed second and third readings.

HB 333 - Motorcycle safety gear, (House committee substitute 4/18). Passed second reading.

HB 349 - Registering instruments, (House committee substitute 4/20). Passed second and third readings.

HB 383 - Corp. franchise tax changes. Passed second and third readings.
HB 448 - Minimum tax refund. Passed second and third readings.
HB 451 - Library, recreation taxes. Passed second and third readings.
HB 452 - Delinquent city taxes. Amended to limit authority for paying delinquent taxes into general fund to taxes collected subsequent to end of second fiscal year following fiscal year of levy. Passed second and third readings.
HB 481 - Criminal evidence review. Passed second and third readings.
HB 497 - Insurance co. increase surplus. Passed second and third readings.
HB 510 - Storing assessment information. Passed second and third readings.
HB 513 - Theater girls working hours. Passed second and third readings.

LOCAL BILLS

HB 547 - (Brunswick) Public drunkenness. Passed.

Next sessions of House: 10:00 a.m., Saturday, April 22, 1967, for consideration of local bills only.
8:00 p.m., Monday, April 24, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 54

Monday, April 24, 1967

Note: The Senate convened at 9:00 a.m., Saturday, April 22, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SR 295 - (Joint Resolution) Introduced by Nielson and others
"Rendering an advisory opinion to the Joint Appropriations Subcommittee that a thirty percent increase in salary for teachers in the North Carolina public school system be given highest priority in the Subcommittee's budget deliberation." [As title indicates; declares that 30% teacher pay raise should be given priority over tax cuts and over other spending requirements.] To Education.

LOCAL BILLS INTRODUCED -- SENATE

SB 294 - (Iredell) Introduced by Henkel
"Pertaining to Article 3, Chapter 139 of the General Statutes as the same relates to a watershed improvement program in Iredell County." [Authorizes county commissioners without election to levy special watershed improvement tax of not to exceed 2¢ per $100 valuation of property in county for purposes specified in GS 139, Art. 3 (authorizing county tax of not to exceed 25¢ per $100 value subject to approval by a special election, to be used for specified watershed improvement programs). Declares authorized expenditure to be a special purpose for which special approval given by act. Identical with HB 605.] To Counties, Cities and Towns.

SB 296 - (Buncombe) Introduced by Briggs
"Relating to the powers of assistant and deputy clerks of the general county court of Buncombe County." [Modifies GS 7-274 to provide that when clerk of superior court in Buncombe County acts ex officio as clerk of general county court, any assistant clerk or deputy clerk in his office shall have power to take affidavits, issue civil process, administer oaths to witnesses and perform any other duty in connection with said court under direction of CSC and for acts of said assistant or deputy CSC shall be liable on his official bond to same extent as for own actions.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 267 - Diver's flag. Passed second and third readings.
SB 279 - Special birth certificate. Passed second and third readings.

HB 143 - Motorcycle licensing, as amended in House 3/24 and 4/20. Received from House; sent to Public Roads.

HB 159 - Ambulance services (House committee substitute 4/11), as amended in House 4/18. Received from House; sent to Public Health.
HB 321 - Pay for aged care. Received from House; sent to Public Welfare.
HB 349 - Registering instruments (House committee substitute 4/20). Received from House; sent to Judiciary 1.
HB 383 - Corp. franchise tax changes. Received from House; sent to Finance.
HB 448 - Minimum tax refunds. Received from House; sent to Finance.
HB 451 - Library, recreation taxes. Received from House; sent to Finance.
HB 452 - Delinquent city taxes, as amended in House 4/21. Received from House; sent to Finance.
HB 481 - Criminal evidence review. Received from House; sent to Judiciary 1.
HB 497 - Insurance co. increase surplus. Received from House; sent to Insurance.
HB 510 - Storing assessment information. Received from House; sent to Judiciary 1.
HB 513 - Theater girls working hours. Received from House; sent to Manufacturing, Labor and Commerce.

LOCAL BILLS

SB 197 - (Cleveland) Kings Mtn. beer-ABC vote. Passed.
SB 234 - (Randolph) Randleman aldermen comp. Passed.
SB 261 - (Robeson) Election board reimbursement. Passed.
SB 263 - (Robeson) School board salaries. Passed.
SB 274 - (Union) Monroe ambulance services. Passed.
SB 275 - (Union) Monroe property sale. Passed.
SB 278 - (Guilford) Cone Hospital Board. Passed.
SB 285 - (McDowell) Tax supervisor. Passed.
SB 286 - (McDowell) Wild bear hunting. Passed.

HB 291 - (Pender) Black River deer. Passed.
HB 294 - (Pender) Motor boat safety. Passed.
HB 340 - (Currituck) Tax collector. Passed.
HB 449 - (Bertie) School board land sale. Passed.
HB 460 - (Person) Delinquent tax transfer. Passed.
HB 470 - (Rutherford) Forest City band funds. Passed.
HB 472 - (Currituck) Deputy official comp. and app't. Passed.
HB 485 - (Forsyth) Local development funds. Passed.
HB 547 - (Brunswick) Public drunkenness. Received from House; sent to Counties, Cities and Towns.

Next session of Senate: 12 noon, Tuesday, April 25, 1967.

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BULLETIN NO. 54
Monday, April 24, 1967

Note: The House convened at 10:00 a.m., Saturday, April 22, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 604 - Introduced by Taylor of Transylvania and Jordan
"To amend G.S. 20-9(d) removing 'grand mal epilepsy' from list of persons which shall not be licensed to operate a motor vehicle." [Deletes from GS 20-9(d) provision that no operator's or chauffeur's license shall be issued to person previously adjudged a grand mal epileptic who has not been restored to competency by court order or by release certificate of hospital sup't, or unless he satisfies Department of Motor Vehicles (DMV) that he is competent to safely operate a motor vehicle. Adds to GS 20-9 new subsection providing as follows: DMV not to issue license to applicant previously adjudged grand mal epileptic, or subject to equivalent epileptic seizures, except when he presents a doctor's certificate in form to be devised by Comm'r of Motor Vehicles (CMV) with advice of qualified experts, containing waiver of privilege and doctor's recommendation on licensing; new doctor's certificate must be presented at six month intervals for license to remain in force. CMV not to be bound by doctor's recommendation but to give it fair consideration in determining whether applicant can safely operate a vehicle. Provides in detail for review procedures, upon denial of license, by board consisting of CMV (or his representative) and four members designated by Chairman of Board of Health. Grants subpoena powers to review board (with fees of sheriff and witnesses as allowed in county recorder court or district court, to be paid as other expenses of DMV); board to pass on admissibility of evidence, but applicant may object to and proffer rejected evidence; board not bound by common law or statutory rules of evidence but may admit evidence with probative value commonly accepted by reasonable men in their affairs; board to provide for stenographic record which will be transcribed if requested for review; board to make written decisions accompanied by findings of fact and conclusions of law; board actions subject to review pursuant to GS Ch. 143, Art. 33; where license denied after hearing, no new applications may be filed until two years after denial; records of board and DMV hereunder not to be considered public records, may be made available to public only on court order, and not to be used in evidence in any civil or criminal proceeding.] To Highway Safety.

HB 609 - Introduced by Clark of New Hanover
"To provide for rights of action for domicilaries of North Carolina damaged in states denying such rights of action although allowed under North Carolina law." [Provides that in personal injury, property damage and wrongful death actions brought in NC, arising from acts out of state acts between husband and wife or parent and minor child or children domiciled in NC at time of such acts, substantive tort law of NC shall determine right to interfamilial action and standard of care due to passengers by drivers.] To Judiciary 1.

HB 616 - Introduced by Johnson of Wake
"Abolishing charitable immunity as a defense." [As title indicates; common law defense of charitable immunity not to constitute a valid defense to any action or cause of action arising subsequent to effective date of Act.] To Judiciary 1.

HB 618 - Introduced by Twiggs

"To allow assistant clerks of domestic relations courts to sign warrants." [Amends GS 7-104 (personnel of domestic relations courts) authorizing judge of domestic relations court to appoint deputy clerks, with salaries fixed and paid by county board of commissioners and city governing body, acting jointly, or independently with a joint county and city court is not established (now authorizes judge to appoint only clerk). Amends GS 7-106 (procedures, practice and punishments in domestic relations courts) authorizing deputy clerks to administer oaths and to issue warrants and other court process (now, only judge and clerk of court have power to administer oaths and issue warrants).] To Judiciary 2.

HB 619 - Introduced by Ervin and others

"to create the offense of habitual felon and to provide for the punishment of the violation thereof." [Creates offense of habitual felon and provides that any person guilty of three felonies, by conviction or plea, is an habitual felon. Defines felony as offense classified as felony under laws of NC or sister sovereigns wherein plea or conviction returned regardless of actual imposition of sentence; commission of second or third felonies not within Act unless committed after conviction or guilty plea to first or second felonies respectively; felony guilty pleas or convictions prior to effective date of Act are felonies within meaning of Act, except that third felony guilty plea or conviction, at least, must be after effective date of Act. Pardoned felony offenses not considered for application of Act, but burden of showing pardon rests with defendant. Habitual felon must be charged as such; indictment must set forth particulars of previous felony guilty pleas or convictions. Defendant charged as habitual felon not required, absent waiver, to stand trial within 20 days after true bill indictment returned. Provides that for charge of habitual felon records of prior felony convictions admissible in evidence, but only for purpose of proving former felonies. Felony judgment of conviction or guilty plea certified to superior court from custodian of records of any state or federal court under same name of indicted habitual felon is prima facie evidence of facts certified and identity of felon charged and felon certified to NC. Provides that when indictment charges felony and habitual felon, judge to inquire specifically of jury as to whether defendant guilty of both or not. Person charged both with felony and as habitual felon must, upon conviction, be sentenced and punished as habitual felon, except in cases of death penalty; punishment as habitual felon must be for term not less than 20 years in State Prison nor more than life imprisonment; offender not eligible for parole until 75% of sentence actually served; sentence imposed not to be reduced below 75% nor suspended for any reason. Pardon power of Governor not impaired by Act.] To Judiciary 2.

HB 624 - Introduced by Baugh

"Requiring certain dams and other impoundments of inland fishing waters hereafter constructed to be designed so as to protect natural trout." [Requires any impoundment on inland fishing waters which support a natural trout population to be constructed to release water of temperature not in excess of ambient stream temperature of water flowing into impoundment from principal tributary, and to discharge water containing dissolved oxygen of not less than 5.0 milligrams per liter. Impoundment defined as any dam, spillway, or other obstruction of inland fishing waters as defined in GS 113-129 (all inland waters except private ponds; and all waters connecting with or tributary to coastal sounds or ocean extending inland from dividing line between coastal fishing waters and inland fishing waters agreed upon by Department of C&D and NC Wildlife Resources Commission). Violations are misdemeanors, punishable by $100-$1,000 fine or imprisonment for not more than 30 days, or both; each day's violation to be separate offense; in addition to criminal penalties, continued violation of act may be enjoined. Stream Sanitation Commission to enforce act and for this purpose employees authorized to enter upon any impoundment and to make necessary measurements in vicinity. Act applies only to release of water from impoundments constructed or completed after June 1, 1967 and with respect thereto; shall apply from date of completion or January 1, 1968, whichever is earlier.] To Water Resources and Control.

HB 632 - Introduced by Short and Stewart

"Amending sections 58-72(17) and 58-79.1 of the General Statutes so as to define the business of mortgage guaranty insurance; to authorize mortgage guaranty insurance companies to acquire real estate as an admitted asset; to clarify the method of valuation of acquired real estate, and to provide for limitation on the amount of real estate acquired by mortgage guaranty insurance companies." [Amends GS 58-72(17) by including within the definition of "credit insurance" (a type of insurance authorized by NC) mortgage quaranty insurance, defined as insurance against financial loss by reasons of nonpayment of principal, interest, etc., agreed to be paid under terms of any evidence of indebtedness secured by a security interest, mortgage, deed of trust, or other instrument which is lien or charge on real estate, or on such personal property as Commissioner of Insurance may approve. Amends GS 58-79.1 (c) (8) c. to include real estate acquired in connection with default in payment of loan insured under any mortgage guarantypolicy as a proper item for reserve investments by domestic stock and mutual insurance companies. Conforms GS 58-79.1(h) (3) (valuation of real estate investments) and provides that value of any property conveyed to, purchased or acquired by any mortgage guaranty insurance company whether held directly or indirectly together with value of all such real property held by it shall not exceed 30% of its total admitted assets; authorizes Commissioner of Insurance by regulation to fix a lesser percentage. Conforms GS 58-79.1(e).] To Insurance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 598 - (Johnston) Introduced by Britt

"To amend Chapter 129 of the Private Laws of 1860-61 to extend the corporate limits of the Town of Princeton." [As title indicates; extends corporate limits by metes and bounds.] To Judiciary 2.

HB 599 - (Johnston) Introduced by Britt

"Relating to the extraterritorial powers of the Towns of Smithfield and Selma." [Provides that in addition to one mile extraterritorial zoning and subdivision control authority granted to Towns of Smithfield and Selma by GS 160-181.2 and GS 160-226, legislative bodies of two towns may also exercise such powers in that area lying more than one mile beyond their respective corporate limits and between corporate limits and boundary line set out in act by metes and bounds.] To Judiciary 2.

HB 600 - (Johnston) Introduced by Britt

"To amend G.S. 6-21 relating to the payment of costs in civil actions so as to allow the Clerk of Superior Court of Johnston County to apportion the costs in tax foreclosure suits in Johnston County." [Modifies GS 6-21 (allowing costs to either party or apportionment in discretion of court in specified types of actions) by including tax foreclosure suits in Johnston County among types of action covered.] To Judiciary 2.

HB 601 - (Johnston) Introduced by Britt

"Amending Chapter 129 of the 1961 Session Laws relating to the compensation of the Chairman and members of the Board of County Commissioners of Johnston County." [Raises salary of chairman of cited board from $20 per day of official duty to $35 per day and salaries of members from $15 per day of official duty to $25. Effective July 1, 1967.] To Judiciary 2.

HB 602 - (Johnston) Introduced by Britt

"Authorizing the Clerk of Superior Court of Johnston County to transfer certain funds to the general fund of said county." [Authorizes Johnston CSC to transfer $1,033.28 now held in "Adjustment Accounty" to county general fund.] To Judiciary 2.

HB 603 - (Johnston) Introduced by Britt

"Authorizing the Board of Commissioners of Johnston County to set jail fees." [Authorizes cited board to fix and determine fees to be charged or collected by county jailer. Act not to repeal GS 153-9(12a)(authorizing commiss commissioners to set various fees and spelling out procedure to be followed) except as it relates to jail fees.] To Judiciary 2.

HB 605 - (Iredell) Introduced by Tolbert and Boger

"Pertaining to Article 3, Chapter 139 of the General Statutes as the same relates to a watershed improvement program in Iredell County." [Identical with SB 294, digested in the Senate section of today's bulletin.] To Local Government.

HB 606 - (Cabarrus) Introduced by Quinn

"Relating to parking motor vehicles in Township No. 4 in Cabarrus County." [Prohibits operating, parking or leaving standing any motor vehicle, attended or unattended, upon any paved or unpaved sidewalk or walkway, or parking or leaving standing any motor vehicle in any marked or designated crosswalk on any street or highway in Township No. 4. Violators to be fined not more than $10 or imprisoned not more than ten days, or both, in discretion of court.] To Local Government.

HB 607 - (Guilford) Introduced by Short, Bowles, Edwards, Exum, Phillips, Whitley

"To amend Chapter 1229 of the 1963 Session Laws so as to authorize the use of nontax funds for local development purposes in Guilford County." [Permits appropriations in Guilford County for expenditure from non-tax sources for local development under GS Ch. 158, Art. 1 without an election (now, election required for appropriations of non-tax and tax funds).] To Local Government.

HB 608 - (New Hanover) Introduced by Clark and Hill

"To amend Sections 105-306 (26), 105-308, 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of Commissioners of New Hanover County to prescribe regulations relating to the listing of property for taxation in New Hanover County." [Authorizes county commissioners (notwithstanding cited GS Sections) to prescribe regulations governing type and form of oath and manner of administration (GS 105-306(26) and GS 105-308 relate to oath), firms and corporations listing property in county for taxation, listing property by agents (covered in GS 105-309), and mail listing (covered in GS 105-310). Authorizes comm'rs to divide or combine townships for tax listing purposes; authorizes county tax supervisor, with comm'rs'approval, to appoint list takers for each combined or divided unit. Provides for extension of G.S. 105-307 (relating to penalty for failure to list) to cover board regulations relating to matters covered in Act as well as GS provisions not inconsistent with board regulations.] To Local Government.

HB 610 - (Avery) Introduced by Isaac

"Increasing the membership of the Avery County Board of County Commissioners from three to five and providing for the appointment of the additional members." [Increases membership of cited board from three to five by appointing Dr. Lawson Tate, term expiring first Monday in Dec. 1970 and W. B. Wilkins, term expiring on first Monday in December 1968. Provides that at county election in 1968 three commissioners to be elected; candidate receiving highest number of votes to serve 4-yr. term and two other candidates to serve 2-yr. terms. At 1970 election and biennially thereafter, four commissioners to be elected, with candidate receiving highest votes to serve 4-yr. terms and others to serve 2-yr. terms.] To Local Government.

HB 611 - (Avery) Introduced by Isaac

"Relating to the publication of budget estimates, budget resolutions, and budget changes in Avery County." [Modifies GS 153-119 (time for filing budget estimate) requiring budget estimate in Avery County show in detail budget estimate with respect to budget of each separate county department, agency or activity. Modifies GS 153-121 (copies of budget resolutions filed with county treasurer and county accountant) requiring a copy of budget resolution to be published in at least one newspaper published in county within twenty days after its adoption in sufficient detail to show separate appropration for each county department, agency or activity. Also requires within twenty days of adoption of any amendment to budget resolution or making any change in appropriation for any county department, agency or activity, publication of detailed statement indicating all amendments and changes.] To Local Government.

HB 612 - (Dare) Introduced by Burrus

"To exempt Dare County from provision of G. S. 18-45(15), relating to the enforcement of A. B. C. laws in Dare County." [Amends cited section (authorizing County ABC Boards to provide law enforcement under their own supervision from ABC funds) by exempting Dare County from its application. Transfers custody of car, pistol and other weapons and equipment of county ABC officer to sheriff's department. Provides that within 30 days after ratification of act, county ABC board to quarterly transfer to board of county commissioners 5% of total profits of county ABC stores; such sums to be used by law enforcement division of county sheriff's department. Requires sheriff's department to cooperate with county ABC board in enforcing ABC laws.] To Counties, Cities and Towns.

HB 613 - (Dare) Introduced by Burrus

"To authorize the Dare County Board of Education to lease certain described school properties." [Authorizes county board of education to lease to Lions Club for not over five years old Manteo Elementary School Gymnasium.] To Education.

HB 614 - (Dare) Introduced by Burrus

"To authorize the Dare County Board of Education to convey certain school properties for educational purposes." [Authorizes county board of education to convey for educational purpose present Roanoke School properties and Old Main Classroom at Manteo Elementary School.] To Education.

HB 615 - (Martin) Introduced by Everett and Gregory

"To amend GS 163-175, relating to the marking of ballots, so as to make it applicable to Martin County." [Adds Martin to list of counties subject to single shot voting law (requiring that elector cast vote for as many candidates as there are offices to be filled, where there are group candidates for same office, or ballot is not to be counted).] To Elections and Election Laws.

HB 617 - (Wake) Introduced by Twiggs, Johnson, Bunn and McMillan

"To amend Section 14 of the Charter of the City of Raleigh (Chapter 1184 of the Session Laws of North Carolina, 1949, as amended) relating to ordinances--vote for final passage, amendment by ordinance." [Amends cited statute by deleting requirement that any ordinance making a grant, renewal or extension of any "special privilege" must be voted on at two regular meetings and by deleting prohibition against making any such grant, renewal or extension except by ordinance (leaves same requirements applicable to franchise ordinances).] To Counties, Cities and Towns.

HB 620 - (Catawba) Introduced by Mullinax and Poovey
"Amending G.S. 153-9(35 1/2) and 153-9 (35 3/4) relating to the authority of boards of county commissioners to expend non-tax and tax revenues for soil and water conservation so as to make said act applicable to Catawba County." [Adds Catawba to counties that are covered by GS 153-9 (35 1/2) and GS 153-9 (35 3/4). (Authorizing county board to cooperate with National Soil Conservation Service and State Soil and Water Conservation agencies and districts to promote soil and water conservation, and to appropriate from non-tax and tax revenues such funds as they deem advisable for this purpose.)] To Counties, Cities and Towns.

HB 621 - (Catawba) Introduced by Mullinax and Poovey
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes in Catawba County." [Appropriates from State General Fund to Forest Division of Department of Conservation and Development $2,916 for period commencing on ratification of act and ending June 30, 1968 and $2,916 for 1968-69 fiscal year for forest fire control in Catawba County, especially for employment and expenses of an assistant county ranger in county.] To Appropriations.

HB 622 - (Macon) Introduced by McGlamery by request
"Requiring a building permit in Macon County, North Carolina." [Requires building permit from county tax supervisor prior to commencing erection of any new building or remodeling, alteration or improvement, costing over $500, and prior to erecting or connecting house trailer or mobile home; permit to show township and location of building; no county permit necessary where municipal permit required; officers issuing permits in municipalities to file copies of their permits with county tax supervisor monthly on first day of month. No charge to be made for county permits. Violations declared to be misdemeanors, punishable by fine of not over $50 or imprisonment for not over 30 days.] To Counties, Cities and Towns.

HB 623 - (Macon) Introduced by McGlamery by request
"To amend Chapter 380, Session Laws of 1959, relating to the travel allowance of the Sheriff of Macon County, and further relating to the creation of the offices of Tax Supervisor and Tax Collector." [Amends cited statute by authorizing county commissioners to set travel allowance of sheriff not to exceed $2,800 per year (now, sheriff's travel allowance set at $1,800 per year). Authorizes county commissioners to create, in addition to present office of county accountant, offices of tax supervisor and tax collector, to be appointed by commissioners; authorizes commissioners to fix salaries and to permit appointment of needed deputies and assistants. Deletes provision setting salary of county accountant at $4500 per year and authorizing him to appoint deputy or assistant at annual salary of $3000.] To Counties, Cities and Towns.

HB 625 - (Forsyth) Introduced by Hamrick, Bailey, Jemison, Ingle and McKnight
"To amend G.S. 67-13 relating to dog damages so as to exempt Forsyth County from certain provisions thereof." [Exempts Forsyth County from provisions of GS 67-13 relating to ascertainment, reimbursement and collection of damages, or expenses incurred, as a result of injury or destruction caused by dog or dogs. Provides also that sections of Art. 5, Ch. 67 (protection of livestock and poultry from ranging dogs) providing for payment of dog damages shall be inapplicable to Forsyth County. Repeals Pub. Laws 1931, Ch. 283 (relating to adjustment of claims and measure of damages done by dogs) and Pub. Laws 1933, Ch. 547 (relating to hearing on damages caused by dogs and estimate and payment of damages by county commissioners) insofar as they are applicable to Forsyth County.] To Judiciary 1.

HB 626 - (Forsyth) Introduced by Hamrick, Bailey, Ingle, McKnight and Jemison
"Amending Chapter 224 of the 1951 Session Laws relating to the letting of contracts and the purchase of motor vehicles by the City of Winston-Salem." [Amends cited statute by raising from $2,000 to $3,000 the amount below which, in the purchase of apparatus, supplies, materials, or equipment, it is not necessary to follow the public contract procedures specified in GS 143-129. Applicable only to Winston-Salem.] To Judiciary 1.

HB 627 - (Forsyth) Introduced by Hamrick, Bailey, McKnight, Ingle and Jemison
"To amend G.S. 153-246 so as to make it clear that Forsyth County and the City of Winston-Salem may enter into joint purchasing agreement without consolidating their purchasing departments." [Adds provision to GS 153-246 (joint administrative functions of contiguous counties) authorizing Forsyth and Winston-Salem to enter into agreements for joint purchasing of goods, supplies, materials, and services, with or without consolidating their purchasing departments. Authorizes respective governing boards to adopt resolution setting out manner in which authority to be exercised; such resolution may provide that joint arrangement continue until revoked by either board.] To Judiciary 1.

HB 628 - (Forsyth) Introduced by Hamrick, Bailey, Ingle, McKnight and Jemison
"Relating to the Airport Commission of Forsyth County as created by Chapter 610 of the 1949 Session Laws." [Declares that all properties belonging to Forsyth County Airport Commission, Inc. at time of creation of Airport Commission of Forsyth County pursuant to cited statute belong to and are property of Airport Commission; validates all actions heretofore taken by Airport Commission with respect to any properties and assets which belonged to Forsyth County Airport Commission, Inc.] To Judiciary 1.

HB 629 - (Forsyth) Introduced by Hamrick, Bailey, Jernigan, Ingle and McKnight
"To amend Chapter 761 of the 1963 Session Laws relating to watershed improvement programs in Forsyth County." [Adds new section 4 1/2 authorizing Forsyth Board of County Commissioners to enter order authorizing entry upon property of any person, firm or corporation to make soil tests to determine feasibility of soil for watershed improvement purposes whenever board, as trustees of watershed improvement district, deems it necessary. Permits entry to be made with or without consent of property owner, provided that authority to enter shall be exercised in reasonable manner so as not to unduly interfere with normal operations of property owner. Stipulates that every effort to be made to return area to same condition after said soil tests are made as before.] To Judiciary 1.

HB 630 - (Forsyth) Introduced by Hamrick, Bailey, Ingle, Jemison, and McKnight
"To make Article 24A of Chapter 153 of the General Statutes of North Carolina, relating to special assessments for water and sewerage facilities, applicable to Forsyth County." [As title indicates, deletes Forsyth from counties exempted from cited Act.] To Judiciary 1.

HB 633 - (Forsyth) Introduced by Hamrick, Bailey, Ingle and Jemison
"To add Forsyth County to the list of counties in which it is unlawful to practice phrenology, palmistry, fortune-telling, or clairvoyance." [As title indicates. Adds Forsyth to 63 other counties listed in GS 14-401.5, making fortune-telling, etc., misdemeanor punishable by $500 fine or one year imprisonment or both. Effective July 1, 1967.] To Judiciary 1.

PUBLIC BILLS INTRODUCED -- HOUSE
(Additional)

HB 631 - Introduced by Hamrick, Bailey, McKnight, Ingle, and Jemison
"To authorize boards of county commissioners to adopt regulations relating to the protection of county water and sewerage systems." [Adds to GS Ch. 153, Art. 24 (Water and Sewerage Facilities) new GS 153-286.1 which authorizes county commissioners to adopt rules governing use of county water or sewerage systems and providing protection against improper use, damage, or vandalism. Makes violation of rules misdemeanors, punishable by fine up to $50 or imprisonment up to 30 days. Any person or association violating rules also liable to reimburse county for damages.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 162 - Car financial responsibility, as amended in Senate 4/21. Received from Senate; sent to Insurance.

HB 105 - Highway plans recording, as amended in House 3/9 and 3/14 and in Senate 4/20. Concurred in Senate amendment.
HB 333 - Motorcycle safety gear (House committee substitute, 4/18). Passed third reading.

LOCAL BILLS

SB 178 - (Onslow) Special tax levy. Passed third reading.
SB 252 - (Robeson) Lumberton charter amendments. Received from Senate; passed.

BILLS RATIFIED

SB 2 - Brown bagging, (Senate committee substitute 3/16) (House committee substitute 4/4), as amended in House 4/5 and 4/6, and in Senate 4/11 and 4/13, (Conference report 4/21). [Ch. 222]
SB 3 - Continuing teacher contract. [Ch. 223]
SB 287 - (New Hanover) CSC and Recorder's court fees, as amended in House 4/20. [Ch. 224]
HB 425 - (Robeson) Pembroke mayor salary. [Ch. 225]
HB 426 - (Robeson) Lumber Bridge elections. [Ch. 226]

Next session of House: 12 noon, Tuesday, April 25, 1967.

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BULLETIN NO. 55

Tuesday, April 25, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 297 - Introduced by Brumby
"To appropriate funds to the Department of Conservation and Development for the establishment of a forest service district office in Cherokee County." [Appropriates from General Fund to Department of Conservation and Development $20,000 to erect a Forest Service District office and storage building for Cherokee and Clay Counties, to be located at Peachtree, Cherokee County. Identical with HB 653, digested today.] To Appropriations.

SB 302 - Introduced by Henley, McGeachy
"Making it a misdemeanor to desecrate public and private cemeteries." [Adds new GS 14-150.1 providing that any person, other than owner, who shall willfully desecrate public or private cemetery where human bodies are interred by putting any refuse or article of similar nature on or in such cemetery, or by damaging, overturning, polluting or taking any plant or ornament located in such cemetery, shall be guilty of a misdemeanor punishable by a fine of not more than $100 or 30 days imprisonment or both.] To Judiciary 1.

SB 303 - Introduced by Henley and McGeachy
"To amend G.S. 20-11(a) to permit commercial driver training schools to offer courses of driver training and safety education and to permit 16 - 18 year old graduates of such commercial schools to be licensed as motor vehicle operators." [Identical with HB 635, digested in the House section of today's bulletin.] To Highway Safety.

SB 304 - Introduced by Green
"Relating to the Teachers' and State Employees' Retirement System of North Carolina." [Identical with HB 646, digested in the House section of today's bulletin.] To Retirement, Employment Security.

LOCAL BILLS INTRODUCED -- SENATE

SB 298 - (Bladen) Introduced by Green by request
"To authorize the Board of County Commissioners of Bladen County, in their discretion, to appropriate funds and to levy a tax for the support and maintenance of a library in Bladen County." [Authorizes Bladen County Commissioners without election to annually levy special tax of not to exceed 5¢ per $100 value of property in county for use in establishing or supporting a county public library or joint library for county and one or more municipalities therein. Board authorized to appropriate from general fund for this purpose. Declares such taxes or appropriations necessary expense and for a special purpose for which special approval given by act.] To Finance.

SB 299 - (Onslow) Introduced by Ellis
"To amend G.S. 105-279 and G.S. 105-406 to allow the Board of Commissioners of Onslow County to refund taxes for back years erroneously collected due to clerical errors in valuation of property." [As title indicates, authorizes refund of back ad valorem taxes erroneously collected, regardless of when errors discovered.] To Finance.

SB 300 - (Onslow) Introduced by Ellis
"Relating to collection of wine and beer license taxes in Onslow County." [Adds to GS 18-76 (relating to county beer and wine licenses) provision that in Onslow, county tax collector is charged with duty of collecting beer and wine license taxes.] To Local Government.

SB 301 - (Catawba) Introduced by Shuford
"To enable the governing body of the City of Hickory to give quitclaim deeds to the Hickory City Board of Education." [Authorizes governing body of Hickory to transfer by quitclaim deed to Hickory Board of Education any interests of city in real property conveyed to city for school purposes pre-2/2/25. Exempts transfer of such property acquired by city prior to stated date, from GS 160-59 (providing procedure for sale of municipal property) and validates all conveyances or preparations made in contemplation of sale by board of education of any real property originally deeded to city for school purposes prior to stated date.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 82 - East Carolina University. Reported favorably as amended. Postponed to 4/27.

SB 153 - Chief medical examiner. Reported favorably as amended. Amendments adopted making technical changes, and as follow: (1) Requires medical examiner, upon request, to deliver a copy of his written report to defendant in criminal action, or any party in civil action. (2) Allows Superior Court Judge on own motion or on motion of any party (originally did not provide for motion by parties and limited superior court power to require autopsy or pathological study to judge having authority in judicial district in which body or anatomical material first found) to require autopsy or pathological study be made and that a copy thereof be furnished to requestor. (3) Provides that reports of investigations made by Chief Medical Examiner or assistants or by medical examiners, and records of autopsies made under authority of act "may" (originally, shall) be received as corroborative evidence (originally, evidence) if admissible (new) in any court or other proceeding. Referred to Appropriations.

SB 219 - Noncourthouse comm'r meetings. Reported favorably as amended.

HB 333 - Motorcycle safety gear (House committee substitute 4/18). Received from House; sent to Highway Safety.

HB 450 - Municipal elections changes, as amended in House 4/17. Reported favorably.

LOCAL BILLS

SB 197 - (Cleveland) Kings Mtn. beer-ABC vote. Reported yesterday (April 24) as having passed; should have read: "Senate committee substitute adopted. Passed."

SB 248 - (Robeson) Confirms drainage district. Passed third reading.
SB 249 - (Robeson) Aiding county poor. Passed third reading.

HB 276 - (Davie) Special taxes-office expenses. Passed third reading.
HB 447 - (Beaufort) Mosquito control. Passed third reading.
HB 479 - (Burke) Morganton tax lien bar. Amended to reflect status of Morganton as City rather than town. Passed.
HB 480 - (Burke) Morganton late tax penalties. Amended as HB 479 (above); floor amendment adopted changing effective date of Act from January 1, 1968 to January 1, 1967. Passed.
HB 486 - (Forsyth) Improvement assessments. Passed third reading.

BILLS RATIFIED

SB 178 - (Onslow) Special tax levy. [Ch. 227]
HB 105 - Highway plans recording, as amended in House 3/9 and 3/14 and in Senate 4/20. [Ch. 228]
HB 291 - (Pender) Black River deer. [Ch. 229]
HB 294 - (Pender) Motor boat safety. [Ch. 230]
HB 340 - (Currituck) Tax collector. [Ch. 231]
HB 449 - (Bertie) School board land sale. [Ch. 232]
HB 460 - (Person) Delinquent tax transfer. [Ch. 233]
HB 470 - (Rutherford) Forest City band funds. [Ch. 234]
HB 472 - (Currituck) Deputy official comp. & app't. [Ch. 235]
HB 485 - (Forsyth) Local development funds. [Ch. 236]

Next session of Senate: 12 noon, Wednesday, April 26, 1967.

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BULLETIN NO. 55
Tuesday, April 25, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 634 - Introduced by Auman and others
"Relating to the financial support of community colleges, technical institutes and industrial education centers so as to provide state aid to assist in their plant operation and appropriating state funds for such purpose." [Authorizes State Board of Education through Department of Community Colleges to give financial support for plant operation (wages and costs listed by GS 115A - 19(a) (2) (b)) to community colleges, technical institutes and industrial educational centers. Appropriates from State General Fund, for above purposes, $441,250 for 1967-68 fiscal year and $571,250 for 1968-69 fiscal year. Funds to be allocated by Dep't of Community Colleges in equitable manner according to rules established by State Board of Education.] To Appropriations.

HB 635 - Introduced by O'Hanlon and others
"To amend G.S. 20-11(a) to permit commercial driver training schools to offer courses of driver training and safety education and to permit 16-18 year old graduates of such commercial schools to be licensed as motor vehicle operators." [As title indicates. Effective July 1, 1967.] To Roads.

HB 639 - Introduced by McMillan of Robeson and others
"To amend GS 105-295, relating to appraisal of real property for tax purposes." [Amends cited statute by adding provision authorizing real property assessors to assign fixed value per acre for any farm commodity acreage allotments accruing to land.] To Local Government.

HB 645 - Introduced by Tate
"To appropriate $20,000 to the State Department of Archives and History for the purpose of continuing the restoration of the home of General William Lenoir in Caldwell County." [As title indicates, appropriates $20,000 from General Fund to continue restoration of General William Lenoir's home. Effective July 1, 1967.] To Appropriations.

HB 646 - Introduced by Quinn by request
"Relating to the Teachers' and State Employees' Retirement System of North Carolina." [Amends GS 135-3(8), applying to beneficiaries terminating membership after 7/1/63, as follows: deletes provision that their benefits shall be computed in accord with GS 135-5(b1) (providing for service retirement allowances); adds provision reducing from 15 to 12 years the period of service required for eligibility at age 60 for deferred retirement allowance, to be computed on basis of pension equal to annuity allowable at age 65 or retirement age; deletes requirement in GS 135-3(8)(b) that member electing to retire after age 50 with 20 years' or more of service must file his election within 60 days following separation from service. Amends GS 135-4(e) by granting one month of credit toward creditable service for each twenty days' accumulated sick leave, except in computing creditable service for retirement after 12 years' service; adds to GS 135-4(f) provision allowing credit for prescribed military service to members retiring after 7/1/67 with 10 years' service or more.

Amends GS 135-5(b1) to limit application of present service retirement allowance provision to members retiring between 7/1/63 and 7/1/67. Adds GS 135-5(b2) providing that members retiring on or after 7/1/67 shall receive service retirement allowance as follows: if retire at 65 or after, allowance to be 1-1/4% of final average compensation up to $5,600 plus 1-1/2% of compensation in excees thereof; if retires pre-65, allowance reduced by 1/3 of 1% per month. Adds to GS 135-5(c) provision making supplemental disability benefits permanent after age

65. Adds to GS 135-5(g) provision that on or after 7/1/67 optional allowance may be selected after attaining age 55 or completion of 30 years service; also adds a fifth option permitting election of reduced retirement allowance during life with death benefit approved by Board of Trustees. Amends GS 135-5 by redesignating subsections (k) and (l) as (m) and (n), and by inserting new subsection (k) increasing benefits of persons receiving benefits pre-7/1/67 by percentages increasing 1% per annum and ranging from 5% (1966-67) to (1942), with $10 minimum monthly increase, actuarially reduced if optional benefit selected; and by inserting new subsec. (l) providing for a death benefit for members with at least one year of System membership, payable apart from accumulated contributions.

Amends GS 135-7(a) by adding to obligations eligible for investment of System funds those of International Bank for Reconstruction and Finance and Inter-American Development Bank. Amends GS 135-8(b)(1) by increasing rate of salary deductions of members for the period after 7/1/67 to 5% (now 4%) on earnings under $5,600. Adds to GS 135-8(f) a new paragraph providing that if covered employer is delinquent in reports or in transmitting contributions beyond 90 days after request from Board, distributions otherwise payable to employer shall be withheld until default cured. Amends GS 135-18.1(a) by providing that credits from Local Governmental Employees' Retirement System may be transferred for any person becoming member of State System after 7/1/51 or retiring on or after 7/1/67 (now, only the former); eliminates requirement that actual transfer of employment by made within five years from separation; and clarifies provision concerning funds transfer; repeals GS 135-18.1(d), restricting benefits payable for local service to transfering member to those payable had he remained in Local System. Adds to those who may leave accumulated contributions in State System under GS 135-27(a) persons transfering from State service to alumni association of State-supported universities or colleges. Adds to GS 135-3(3) provision that on and after 7/1/67 member absent from State service ten years in any eleven consecutive years, or withdrawing his contributions, or dying, or becoming a beneficiary, shall cease to be a member; absence from service to be computed from 7/1/57 or later separation date for member not withdrawing contributions before 7/1/67. Effective July 1, 1967.] To State Personnel.

HB 647 - Introduced by Vaughn and others

"To make solicitorial districts identical with superior court judicial districts, to provide that the office of solicitor shall be a full-time office, to provide that solicitors shall prosecute all crimes in the superior and district courts of the State, to abolish the office of district court prosecutor, and for other purposes." [As title indicates. Adds new Subchapter III to GS Ch. 7A, as follows: Effective January 1, 1971, divides State into 30 solicitorial districts, the numbers and boundaries of which are the same as superior court judicial districts; provides for election in November, 1970, of a superior court solicitor for each of above 30 districts; solicitor to be full-time State employee, not engaging in private practice of law, and responsible for the prosecution of all crimes in the superior and district courts of his district; acting solicitor appointed by Governor when regular solicitor disabled; full-time assistant solicitors to be appointed by solicitor in numbers to be authorized by law; part-time assistant solicitors authorized by Administrative Officer of the Courts (AOC) as needed; compensation of solicitors and assistant solicitors to be fixed in Budget Appropriations Act; solicitors and assistant solicitors subject to removal for same causes and under same procedures as district court judge.

Effective July 1, 1967, rewrites GS 7-45 to provide $3,000 travel and subsistence (now, all expenses of office) allowance for all solicitors. Also provides (new) up to $400 per month allowance for "rent, secretarial service, telephone bills, postage, and similar expenses", effective July 1, 1967 to solicitors who elect to become full-time State employees (discontinue all private practice) by that time, in the following numbered districts only: 2, 3, 4, 5, 6, 7, 8, 9, 10, 10A, 11, 12, 14A, 15, 16, 18 and 19. AOC to prescribe regulations for reimbursement of $400 allowance upon presentation of proof of actual expenditures. Amends GS 7A-160 to provide term of district court prosecutor appointed in December, 1968 or December, 1970, is terminated December 31, 1970. Effective January 1, 1971, deletes all references in GS Ch. 7A to "prosecutor", "assistant prosecutor", etc., substituting where necessary "solicitor", "assistant solicitor", etc.

Effective January 1, 1971 repeals GS 7-44 (compensation of solicitors), 7-45 (as amended in this bill, allowances of solicitors), 7-68(b), (solicitorial districts), 7A-43.1, 7A-43.2, 7A-43.3 (present solicitorial organization), and 7A-160 through 7A-165 (present prosecutorial organization). Except as otherwise provided in Act, effective upon ratification.] To Courts and Judicial Districts.

HB 648 - Introduced by Vaughn and others

"To make certain supplementary, clarifying and technical amendments to the 'Judicial Department Act of 1965' (General Statutes, Chapter 7A) and for other purposes." [Identical with SB 292, digested in the Senate section of Bulletin No. 53 (Friday, April 21).] To Courts and Judicial Districts.

HB 650 - Introduced by Godwin of Gates

"Relating to the rules of evidence in proving the offense of issuing or uttering a worthless check." [Amends GS 14-107 (worthless checks) by adding provision that statement from bank returning check as unpaid noting either insufficient funds or no bank account as reason for return to be prima facie evidence that maker or drawer did not have sufficient funds on deposit in or credit with such bank or depository with which to pay same upon presentation; applicable only to checks presented for payment no later than first banking day succeeding date of issuing or uttering check or draft.] To Judiciary 2.

HB 651 - Introduced by Mills of Anson and Clark of Union

"For funds to be used as matching funds conditionally provided by the Smith Foundation for securing equipment." [Appropriates $46,921 from General Fund to State Board of Education for 1967-69 biennium for equipping building provided by Smith Foundation for Ansonville Industrial Education Center Extension Unit.] To Appropriations.

HB 653 - Introduced by McGlamery

"To appropriate funds to the Department of Conservation and Development for the establishment of a forest service district office in Cherokee County." [Identical with SB 297, digested in the Senate section of today's bulletin.] To Appropriations.

HB 654 - Introduced by Johnson of Wake

"To amend G.S. 20-38 excluding ambulances as for hire passenger vehicles and defining an ambulance." [Excludes 9-passenger (or less) vehicles operated as ambulances from definition of "for-hire passenger vehicles" under GS 20-38 (20)(b). Adds new paragraph to GS 20-38(20) defining ambulance as motor vehicle equipped for transporting wounded, injured or sick persons.] To Judiciary 1.

HB 655 - Introduced by Strickland and others

"To amend G.S. 20-16.2, G.S. 20-139.1 and G.S. 20-179 pertaining to operating a motor vehicle while under the influence of intoxicating liquor - implied consent for chemical test." [Amends GS 20-16.2 (implied consent for chemical tests when operating motor vehicle while under influence of intoxicating liquor) as follows: Adds tests of blood and urine (now, only breath) as types of test for which consent is impliedly given and requires the law enforcement agency of charging officer to designate which type or types of tests to be administered. Requires that person must be under arrest. Provides that any person who is dead, unconscious or who is otherwise in condition rendering him incapable of refusal deemed not to have withdrawn consent and that tests may be administered subject to GS 20-139.1 (see below). Provides that if arrestee refuses upon request to submit to test none to be given but Department of Motor Vehicles, upon receipt of sworn report of officer that he has reasonable grounds to believe arrestee had been driving under influence and that he refused tests, to revoke license or permit or nonresident operating privilege for 60-day period after date of alleged violation. If arrestee is not licensed, Dep't to deny issuance for 60-day period after date of alleged violation. (Now, under this section evidence of refusal is admissible in criminal court under prescribed conditions). Requires Dep't upon revocation or refusal to notify arrestee in writing and upon his request to afford hearing pursuant to GS 20-16(d), except that scope shall cover issues of reasonable grounds to believe arrestee had been driving or was in actual physical control of motor vehicle while under influence, whether he was placed under arrest, and whether he actually refused. If revocation or denial is sustained, arrestee has right to file petition in appropriate court for review of final order pursuant to GS 20-25. Upon final revocation of nonresident's privilege, Dep't to notify motor vehicle administrator of State of arrestee's residence and any state in which he has license.

Amends GS 20-139.1 (results of chemical analysis admissible in evidence) as follows: Conforms to GS 20-16.2 (above) and permits introduction into evidence in civil as well as criminal actions. Adds provision that if tests show blood alcoholic content of more than .05% but less than .10%, such fact not to give rise to any presumption that person was or was not under influence but it may be considered with other competent evidence. Adds provision that if tests show less than .05%, presumption arises that person not under influence. Deletes prohibition against arresting officer administering tests. Adds provision that only physicians, registered nurses or other qualified persons may administer blood tests. Deletes requirement that person whose breath is being tested shall be furnished results at time of taking test and requirement that officer assist tested persons in contacting a qualified person to administer additional tests. Does not conform GS 20-139.1(d) so as to require keeping of record of blood and urine tests (as well as breath tests) and furnighing of such record to arrestee prior to trial. Makes refusal to submit to tests under GS 20.16.2 (above) admissible in civil as well as criminal actions. Amends GS 20-179 (penalty for driving while under influence of intoxicating liquor or narcotic drugs) by limiting period of imprisonment on third conviction to not more than two years.] To Highway Safety.

HB 656 - Introduced by Bowles and others

"To provide that no interest or penalty shall accrue or be assessed as to State taxes owed by members of the armed services during the time in which they are serving in a combat zone." [Adds new 105-249.1 exempting from interest or penalty state taxes imposed under GS Ch. 105 (Taxation) on any member of U. S. armed forces while serving in combat zone (defined as area designated by presidential executive order as area in which U.S. armed forces are or have been engaged in combat) or who is hospitalized as result of wounds, disease or injury incurred by serving in combat zone during period of induction. Exemption applies to any month or months during any part of which such member served in combat zone, during induction period, in which there were combat activities. Effective for tax years on and after Jan. 1, 1967.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 636 - (Alamance) Introduced by Pickard and Euliss

"To authorize the Board of Education of Alamance County to appoint a county superintendent of schools for a term of up to four years." [Provides for county board of education to meet on last Monday in June, 1967, and on same date thereafter as county school superintendent's term expires, for purpose of electing such superintendent subject to approval of State Superintendent of Public Instruction and State Board of Education. Election of superintendent to be for 2, 3, or 4-year term in discretion of county education board, with term beginning on first Monday in July of year elected. GS Ch. 115, as it relates to naming and appointing Alamance School Superintendent, unchanged other than with respect to term of office.] To Education.

HB 637 - (Greene) Introduced by Horton

"To amend GS 105-422, relating to tax liens, so as to make it applicable to Greene County." [Deletes Greene from list of counties exempted from GS 105-422 (providing no county or municipal tax liens shall be enforceable more than ten years from due date, with certain specified exceptions). Effective as to tax liens prior to 1942 on June 30, 1967, and as to tax liens for 1942 and thereafter on June 30, 1969.] To Counties, Cities and Towns.

HB 638 - (Greene) Introduced by Horton

"To amend Chapter 249, Session Laws of 1961, and Chapter 67, Public-Local and Private Laws of 1933, so as to authorize the Board of County Commissioners of Greene County to fix the salary of the sheriff, deputy sheriffs and tax collector of Greene County." [Amends SL 1961, Ch. 249, to provide that board of county commissioners may fix salary of sheriff and deputy sheriffs (now, board may fix sheriff salary at not to exceed $4,200 and may fix salary of deputies but combined deputy salaries are not to exceed $10,000) and that all fees allowed by law for sheriff and deputies shall be paid into county general fund (now, fees for service of process go to sheriff and deputies). Rewrites Pub.-Local L. 1933, Ch. 67, Sec. 3 to provide that board may place with tax collector taxes now evidenced by outstanding tax certificates for collection and fix his salary, and that such salary shall be in lieu of all other compensation (now, tax collector receives 2% on taxes collected by him plus such amount as may be agreed upon with board for collection of taxes evidenced by outstanding tax certificates). Effective July 1, 1967.] To Counties, Cities and Towns.

HB 640 - (Avery, Mitchell and Watauga) Introduced by Isaac

"Amending GS 113-120.1 (relating to trespass for purpose of hunting, etc., without consent of land owner) as same applies to Avery, Mitchell and Watauga Counties." [Adds to GS 113-120.1 provision increasing penalties for trespassing on posted lands in captioned counties for purposes of hunting, fishing or trapping. Fine for such trespass offense during daytime $50 to $100

or up to 30 days jail or both (generally, $15 to $50 fine or 30 days jail); fine for such trespass at nighttime between hours of sunset and sunrise $75 to $150 or up to 30 days jail or both (now, and generally $30 to $50 fine or 30 days jail).] To Wildlife Resources.

HB 641 - (Richmond) Introduced by Hunter

"Authorizing an election on the question of reorganizing and merging the Richmond County School Administrative Unit, the Hamlet City School Administrative Unit, and the Rockingham City School Administrative Unit into one school administrative unit under one board of education for all the public schools in Richmond County." [Authorizes Richmond County Comm'rs to set date, not later than June 10, 1967, for county-wide election on question of reorganization and merger of Richmond County, Hamlet City, and Rockingham City school administrative units into one unit known as the "Richmond County School Administrative Unit" under administration of Richmond County Board of Education. Election to be conducted in accordance with GS 115-122 and related election statutes; all qualified registered voters of Richmond County eligible; and form of ballot set out. If majority favors merger, three administrative units and their boards shall be dissolved as of July 1, 1967 with all Richmond County public schools operating as part of new unit under new board. New Richmond County Board of Education to consist of nine members elected for 6-year staggered terms, three terms to expire first Monday in December of years 1968, 1970, and 1972. Initial members to take oath first Monday in July, 1967, or as soon as practicable thereafter and to immediately elect chairman, vice-chairman, and other officers needed; officers to serve until first Monday in December, 1968. At 1968 Richmond County primary and general election, and biennially thereafter, three persons to be elected to fill vacancies caused by expiration of board member terms. New officers to be elected by board following 1968 election and annually thereafter; superintendent of schools to serve as Board secretary. Any resident and qualified Richmond County voter to be eligible for election to Board upon payment of $10 filing fee; persons elected in 1968 and thereafter to take oath on or about first Monday in December following their election. Vacancies to be filled for unexpired term by remaining members of Board. If vacancy not filled within 30 days, State Board of Education to fill vacancy in accordance with GS Ch. 115.

Effective July 1, 1967, new board to receive all assets, liabilities, obligations, and properties heretofore held by Richmond County, Hamlet City, and Rockingham City boards of education and boards of former units to transfer all documents and agreements relating to each and all public schools within their unit. New board authorized to consolidate budgets previously prepared by former boards and approved by Richmond County Comm'rs. At first meeting of new board, superintendent to be elected for 2-year term expiring July 1, 1969 and assistant superintendents and other administrative personnel needed may be elected upon recommendation of superintendent. Period of service for all personnel elected to be in accord with general law and regulations of State Board of Education, except for superintendent who shall be elected first Monday in April, 1969 (first superintendent elected July, 1967) and biennially thereafter for 2-year term beginning July 1 following election. If voters favor reorganization and merger, supplemental school tax currently authorized in each unit to be continued at same rate as county-wide tax authorization, and county comm'rs authorized to levy against authorization in approving supplemental budgets submitted by new board for operating all schools of newly created unit. New board authorized to budget funds to reimburse its members for travel and other necessary expenses incurred and to pay per diem.] To Education.

HB 642 - (Hyde) Introduced by Burrus and Roberson

"Relating to the title to the land build up and constructed in the County of Hyde as a result of certain erosion control work in the said county." [Provides for ownership of (title to) new lands constructed on sound side of Hyde County by virtue of erosion control work reclaiming land from Pamlico Sound; county, within 30 days of completing reclaim of land, to make survey and determine "building line" which shall run full length of Pamlico Sound beach in county. Immediately after "building line" fixed, county to have map prepared and recorded with Hyde Register of Deeds and appropriately indexed; map conclusive with respect to determining "building line"; any land owner or claimant affected by Act not suing or filing claim with County within six months of recordation of "building line" map conclusively presumed to have acquiesced in terms and conditions of Act and precluded from future assertion of claim based on title or interest settled by location of "building line". Provides that all land constructed to be within County corporate limits; all land inland of building line granted in fee simple to abutting landowner to extent his land abuts thereon; all land on sound side of building line granted in fee simple to County. Prohibits any building on lands made or constructed on sound side of building line and requires that such sound side land be open at all times for purpose of public roadways and further development as public square or park in determination of Hyde governing authorities. In event county ceases to use such property in accordance with Act, property to revert to State. Provides that owners of property abutting on reclaimed land, in front of their said property, to possess and keep their rights as if littoral owners in waters of Pamlico Sound, bordering on newly acquired and constructed land.] To Judiciary 1.

HB 643 - (Dare) Introduced by Burrus and Roberson

"Relating to mosquito control in Dare County." [Amends SL 1961, Ch. 238 to include Dare county among those in which board of commissioners given all powers granted by GS 140, Art. 24 to the governing bodies of mosquito control districts for mosquito control purposes.] To Counties, Cities and Towns.

HB 644 - (Caldwell) Introduced by Tate

"To fix the number of commissioners of the Town of Hudson and to provide for the nomination and election of the mayor and commissioners." [Sets governing board of Hudson at six commissioners, to be elected in general election held in May,, 1969. At this election, candidate for mayor and three candidates for commissioner receiving highest number of votes shall be elected to 2-year terms and three candidates for commissioner receiving next highest votes shall be elected to 1-year terms; in elections held thereafter, on Tuesday after first Monday in May of each year, mayor and commissioners will be elected to 2-year terms. Nomination to office of mayor or commissioner open to any qualified voter of town by filing notice of candidacy and petition signed by 15 qualified voters of town, prior to 5:00 p.m. on second Friday before general election.] To Local Government.

HB 649 - (Gates) Introduced by Godwin

"To authorize the appointment of a tax collector by the Board of Commissioners of Gates County." [As title indicates; alternatively authorizes board to impose duties of tax collection upon some other county office. Person designated to have powers and duties imposed by law upon tax collectors and such other duties as board may designate. Collector to give bond in amount set by board and to qualify, if necessary, before entering upon duties of office; compensation to be fixed by board and any vacancy to be filled by board. Provides that until board exercises authority, sheriff and constables to continue to be responsible for tax collection.] To Judiciary 2.

HB 652 - (Vance) Introduced by Church
"To authorize the City Council of the City of Henderson to submit to the people of the municipality the question of whether or not the process of fluoridation should be utilized in the municipal water supply." [As title indicates, authorizes municipal vote within 2-years of date of act on question of fluoridation. Election to be under provisions of city charter, and if majority favor, municipal water supply to be fluoridated.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 267 - Diver's flag. Received from Senate; sent to Wildlife Resources.
SB 279 - Special birth certificate. Received from Senate; sent to Judiciary 1.

HB 142 - Securities law exemption. Reported favorably as to committee substitute; committee substitute adopted which makes technical changes.
HB 427 - Foreign trusts intangible tax. Reported favorably as amended.
HB 504 - Proof of laws. Reported favorably as amended.
HB 616 - Charitable immunity no defense. Reported favorably.
HB 624 - Trout water impoundments. Sent to Wildlife Resources 4/24. (In the House section of Bulletin No. 54, HB 624 was incorrectly listed as having been sent to Water Resources and Control.)
HB 631 - County-water, sewer protection. Reported favorably.

LOCAL BILLS

SB 197 - (Cleveland) Kings Mtn. beer-ABC vote. Received from Senate; sent to Propositions and Grievances.
SB 234 - (Randolph) Randleman aldermen compensation. Received from Senate; sent to Salaries and Fees.
SB 253 - (Robeson) Lumberton charter amendments. Received from Senate and passed, 4/24. (In the House section of Bulletin No. 54, SB 253 was incorrectly numbered as SB 252.)
SB 261 - (Robeson) Election board reimbursement. Received from Senate; sent to Local Government.
SB 263 - (Robeson) School board salaries. Received from Senate; sent to Local Government.
SB 274 - (Union) Monroe ambulance services. Received from Senate; sent to Local Government.
SB 275 - (Union) Monroe property sale. Received from Senate; sent to Local Government.
SB 278 - (Guilford) Cone Hospital Board. Received from Senate; sent to Judiciary 1.
SB 285 - (McDowell) Tax supervisor. Received from Senate; sent to Local Government.
SB 286 - (McDowell) Wild boar hunting. Received from Senate; sent to Local Government.

Next session of House: 12 noon, Wednesday, April 26, 1967.

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BULLETIN NO. 56

Wednesday, April 26, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 305 - (Senate Resolution) Introduced by Bagnal and Nielson
"Creating a commission to study the feasibility and desirability of consolidating county units in North Carolina." [Creates by Senate resolution a "Commission for the Study of County Consolidation" to be composed of seven members; one appointed by Governor, three by Lieutenant Governor from membership of Senate, three by Speaker from membership of House of Representatives. Commission to elect its chairman and secretary. Duty of Commission to study 100 counties of State with object of improving county system through consolidation and to make report of findings and recommendations and submit drafts of proposed legislation to 1969 General Assembly. Commission entitled to inspect documents relevant to subject of study that are held by State agencies and subdivisions.] To State Government.

SB 307 - Introduced by Gilmore and others
"To prohibit the depositing of litter along the public highways and in the public areas of the State." [Repeals GS 14-399 (making it unlawful to litter right of way of any state highway or public road outside of incorporated town). Adds new Art. 57, Ch. 14, to make it unlawful (1) to throw any litter from a moving vehicle onto right-of-way of any public street or highway (operator of vehicle is made prima facie liable for violation); (2) to dump litter on right-of-way of street or highway, public park or area, or public beach, or in adjacent waters less than 10 feet deep, except in designated receptacle; (3) to dump household litter in litter receptacles publicly provided for travelling public. Violation is punishable by fine of $10 to $50 for each offense; each day's continuation of a litter deposit constitutes a separate offense. Fine may be suspended on condition that defendant clean up area of highway, street, public beach, or park designated by court. Enforcement to be responsibility of all state and local law enforcement offices. Effective July 1, 1967.] To Public Roads.

SB 308 - Introduced by Warren and others
"To make solicitorial districts identical with superior court districts, to provide that the office of solicitor shall be a full-time office, to provide that solicitors shall prosecute all crimes in the superior and district courts of the State, to abolish the office of district court prosecutor, and for other purposes." [Identical with HB 647, digested in the House section of yesterday's bulletin (Bulletin No. 55, April 25).] To Courts and Judicial Districts.

SB 309 - Introduced by Green

"To appropriate one hundred and ninety thousand dollars to the State Ports Authority for the construction of covered boat slips at Southport in Brunswick County." [As title indicates; appropriation made from General Fund. Effective July 1, 1967. Identical with HB 674.] To Appropriations.

SB 313 - Introduced by Griffin and others

"Relating to resisting officers and obstructing an officer in the execution of process or in the performance of his duties." [Creates felony (GS 14-223.1 of aggravated assault and battery on police officer making or attempting lawful arrest, punishable by up to $2,000 fine or up to 5 years imprisonment or both. Rewrites GS 14-223 (relating to resisting arrest) to provide maximum imprisonment of one year or up to $500 fine or both for misdemeanor of knowingly, wilfully and forcibly obstructing, resisting or opposing any officer or authorized person serving or executing legal process or making lawful arrest without warrant; or assaulting or beating officer or authorized person serving or executing legal process or making lawful arrest without warrant; or rescues another in custody; or whoever being required by any officer neglects or refuses assistance in criminal matter, or in preservation of peace, or in arresting for breach of peace. (Now, crime of resisting officer is merely declared to be a misdemeanor.)] To Judiciary 2.

LOCAL BILLS INTRODUCED -- SENATE

SB 306 - (Guilford) Introduced by Kemp, Osteen, McLendon

"Amending Chapter 391, Session Laws of 1955, relating to the salaries of the members of the city council and the mayor of the City of High Point." [Amends SL 1955, Ch. 391, Sec. 2 to set salary of Mayor of High Point at $3,000 (now, $1,800) and of each member of city council at $1,800 (now, $1,020), to be paid from general fund in equal monthly installments. Effective June 1, 1967.] To Local Government.

SB 310 - (Guilford) Introduced by McLendon and Kemp

"To provide for the appointment of the Board of Education of Guilford County." [Appoints board of education of Guilford county, effective first Monday in April, 1967, to be composed of five members as follows: William H. Barton, Mrs. Edward Burke, Mrs. O. Arthur Kirkman, Howard E. Carr, and Zack L. Whitaker; the first three to serve terms expiring on or about first Monday in December, 1969, and the latter two to serve terms expiring on or about first Monday in December, 1971. Within 30 days prior to first Monday in December, 1969, and quadrennially thereafter, three forthcoming vacancies on board due to expiration of terms shall be filled as follows: one from residents of city by High Point City Council and two from residents of county outside Greensboro or High Point by Guilford Board of Commissioners. Within 30 days prior to first Monday in December, 1971, and quadrennially thereafter, two forthcoming vacancies on board due to expiration of terms shall be filled as follows: one from residents of city by Greensboro City Council and one from residents of county outside Greensboro or High Point by Guilford Board of Commissioners. Vacancies on board caused by death, resignation or similar cause shall be filled for unexpired term by unit having made original appointment, with State Board of Education to fill vacancies not so filled within 30 days.] To Education.

SB 311 - (Camden) Introduced by Wood

"Fixing the compensation of the Board of Education of Camden County." [Fixes compensation of Camden education board members at $15 per day (now, $10) for each day spent in discharge of official duties plus 7¢ per mile for round trip travel from homes to board meetings. Board chairman to receive $20 per diem (now, $15) plus mileage. Repeals conflicting portions of SL 1955, Ch. 70.] To Salaries and Fees.

SB 312 - (Stanly) Introduced by Griffin and Boger
"To authorize the City of Albemarle to appropriate nontax funds to the Stanly County Vocational Workshop." [Authorizes board of commissioners of Albemarle to appropriate from non tax revenue sources $4,000 to Stanly County Vocational Workshop, Inc., for operating and maintenance costs, and annually each fiscal year, subsequent to fiscal year 1966-67, board may appropriate up to $4,000 from non tax revenues to said institution.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 163 - County welfare fund transfers. Reported favorably as amended.
SB 213 - C & D Burke nursery land appr. Reported favorably; rereferred to Appropriations.
SB 219 - Noncourthouse comm'r meetings. Amendment adopted deleting provision of GS 153-8 (relating to Commission meetings) providing for special meetings on 2-day call of board chairman; adds provision that meetings may be held at any place in county other than courthouse provided at least seven days public notice of meeting and location given as amendment requires (Original bill merely deleted requirement that regular meeting be held at courthouse.). Passed second and third readings.
SB 238 - Exec. Mansion Fine Arts Comm'n. Reported favorably.
SB 252 - Commission on women. Reported favorably.

HB 290 - Drivers license surrender, as amended in House 3/24 and 3/28. Reported favorably as amended.
HB 440 - A. G. men covered. Reported favorably.
HB 450 - Municipal elections changes, as amended in House 4/17. Passed second and third readings.

LOCAL BILLS

SB 197 - (Cleveland) Kings Mtn. beer-ABC vote. Senate committee substitute adopted, 4/24, which: (1) Authorizes town board to provide single ballot on off-premises beer-wine sale and on ABC store in city (original bill provided separate ballot questions on two issues). (2) Distributes net revenue of ABC stores, after expenses and designated appropriations for law enforcement etc., as follows: 25% to Kings Mtn. city school board (5% to salaries and 20% for other purposes), and remainder to city for any authorized city purpose (original bill, to city for any authorized city purpose, of which it could pay over any part it wishes to county board of education). (3) Changes period required to elapse after failure of ABC beer-wine vote to three years (originally, one year). New special election may be called after required lapse on receipt of petition signed by 25% of registered voters voting in most recent election for mayor (originally, voting in most recent city election). Passed, 4/24.

HB 657 - (Robeson) Fairmont school board. Received from House; passed second and third readings.

BILLS RATIFIED

SB 253 - (Robeson) Lumberton charter amendments. [Ch. 237]

HB 276 - (Davie) Special taxes-office expenses. [Ch. 238]
HB 447 - (Beaufort) Mosquito control. [Ch. 239]
HB 486 - (Forsyth) Improvement assessments. [Ch. 240]

Next session of Senate: 11:30 a.m., Thursday, April 27, 1967.

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BULLETIN NO. 56
Wednesday, April 26, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 668 - Introduced by Whitley of Guilford and others
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes in Guilford County." [Appropriates from General Fund to Forestry Division of Dep't of Conservation and Development $2,916 for fiscal year 1967-68 and ending June 30, 1968 and $2,916 for fiscal year 1968-69 for forest fire control purposes, especially for salaries and expenses of assistant forest ranger. Bill does not specify for use in Guilford County.] To Appropriations.

HB 672 - Introduced by Burden and Jernigan
"Appropriating funds for the repair and restoration of Historic Hope." [Appropriates from General Fund to State Department of Archives $30,000 for repair and restoration of Historic Hope.] To Appropriations.

HB 673 - Introduced by Greenwood by request
"To authorize Counties to expend nontax funds to assist in the operation and maintenance of orthopedic hospitals." [Authorizes any board of county commissioners to appropriate, as a donation, nontax revenues to orthopedic hospitals, whether publicly or privately owned and whether located within the county or not. Funds to assist in providing better and more adequate orthopedic hospital facilities when such facilities would be available to county residents.] To Local Government.

HB 674 - Introduced by Williamson and Collier
"To appropriate one hundred and ninety thousand dollars to the State Ports Authority for the construction of covered boat slips at Southport in Brunswick County." [Identical with SB 309, digested in the Senate section of today's bulletin.] To Appropriations.

HB 681 - Introduced by Andrews
"To rewrite Article 26 of Chapter 105, pertaining to the assessment of public service companies for taxation purposes." [Identical with SB 270, digested in the Senate section of Bulletin No. 52, April 20.] To Finance.

HB 682 - Introduced by Love and Staton
"To amend G.S. 28-174, relating to recovery for injuries in wrongful death actions." [Adds to GS 28-174 provision that in computing damages for wrongful death, jury may consider all decedent's services to others, and difficulty in computing damages not to bar recovery so long as evidence suitable to decedent's circumstances presented.] To Judiciary 1.

HB 683 - Introduced by Love and Staton
"To amend Article 2, Chapter 131, of the General Statutes to authorize the leasing of certain hospital facilities to non-profit associations or corporations." [Amends GS 131-9 to authorize governing body of county jointly with board of trustees of hospital established by county under GS 131 Art. 3, to lease such facility to any non-profit association or corporation. Lease may include all or part of real, personal or mixed property comprising hospital facility and may include assignment and transfer of money, accounts receivable, stocks and bonds, or any other asset used or held by hospital as going

concern. For term of any such lease hospital board dissolved and no election to board shall be held until ordered by county governing body.] To Judiciary 1.

HB 686 - Introduced by Strickland

"To amend G.S. 52-8 relating to validation of contracts between husband and wife where wife is not privately examined." [Amends cited section to validate cited contracts between husband and wife executed between January 1, 1930 (now, October 1, 1954) and June 20, 1963.] To Judiciary 1.

HB 690 - Introduced by Leatherman

"Rewriting portions of the General Statutes pertaining to the State Board of Assessment." [Identical with SB 271, digested in the Senate section of Bulletin No. 52, April 20.] To Finance.

HB 691 - Introduced by Leatherman

"To amend G.S. 20-309(c), 20-309(e), 20-310, and 20-311 to remove the requirement that operators license be suspended when financial responsibility is not in effect, to increase the period of revocation of vehicle registration when financial responsibility is not in effect and to clarify procedures for surrender of registration plates." [Amends GS 20-309(c)(financial responsibility prerequisite to registration) to provide that registration plate to be revoked for 60-day period upon failure to produce liability insurance policy (now, registration plate to be revoked, and operator's license to be suspended for 30-day period). Conforms GS 20-309(e), GS 20-310(a) and GS 20-311 and adds provision clarifying manner of surrender of registration plate by requiring that it be surrendered to designated agent or representative of Dep't of Motor Vehicles or deposited in US mail addressed to Dep't.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 657 - (Robeson) Introduced McMillan and Britt

"Appointing certain members of the Fairmont City Board of Education." [Pursuant to SL 1955, Ch. 307, appoints James R. Oliver, W. Linwood Floyd, and William L. Brady, Jr. members of Fairmont City Board of Education for 4-year terms from July 1, 1967 until successors are appointed and qualified.] Passed three readings and sent to Senate.

HB 658 - (Haywood) Introduced by Messer and Ramsey

"To fix the salary of the sheriff of Haywood; authorize the appointment and fix the compensation of salaried deputy sheriffs; and prescribe travel allowances for said sheriff's office." [Fixes annual salary of Haywood County sheriff at $7,200, and sets travel expenses at $1,000 per year, both to be paid in 12 monthly installments, from general fund. Authorizes sheriff to appoint seven salaried deputy sheriffs, one to reside in Waynesville Township and one in Beaverdam Township, five remaining to be Haywood citizens only. Sheriff to appoint one as chief deputy at $300-$425 monthly; six remaining to be paid $275-$400 monthly; each to receive car allowance of $125 per month. Sheriff and deputies to receive additional 7¢ per mile while traveling outside limits of Haywood County to transport prisoners, mental patients, juvenile offenders, or when such travel is on request of judge or solicitor of superior court or district court; claims to be supported by evidence required by county comm'rs. Sheriff authorized to employ office deputy to receive salary established by sheriff not to exceed $350 per month. All deputies to receive uniform allowance of $100 per year. Effective July 1, 1967.] To Local Government.

HB 659 - (Haywood) Introduced by Messer and Ramsey

"Relating to the salary of the full-time Chairman of the Board of Commissioners of Haywood County." [Raises salary of cited chairman from $6,000 to

$7,200 per year by amending SL 1959, Ch. 173 and repealing SL 1963, Ch. 77.] To Local Government.

HB 660 - (Haywood) Introduced by Messer and Ramsey
"To provide for the employment and compensation of a jailer for Haywood County." [Authorizes sheriff to appoint county jailer at an annual salary not to exceed $200 per month payable from county general fund. Retroactive to January 1, 1967.] To Local Government.

HB 661 - (Haywood) Introduced by Messer and Ramsey
"To fix the salary of the Tax Collector of Haywood County." [Raises salary of Haywood Tax Collector from $4800 to $6400 per year by amending SL 1957, Ch. 764. Effective July 1, 1967.] To Local Government.

HB 662 - (Haywood and Jackson) Introduced by Messer and Ramsey
"Renaming Jones Knob, located in Haywood and Jackson Counties, as Mount Lyn Lowry." [As title indicates.] To Local Government.

HB 663 - (Alamance) Introduced by Pickard and Euliss
"To amend Chapter 119 of the Session Laws of 1961 relating to the salaries of the mayor and members of the city council of the City of Burlington." [Amends cited act by adding that salary of mayor not to exceed $3,000 per year and salary of other councilman not to exceed $2,000 (now no limit fixed).] To Judiciary 2.

HB 664 - (Rutherford) Introduced by Harrill
"To establish a lien for unpaid water and sewerage charges in the town of Lake Lure." [Provides that notwithstanding provisions of GS 160-249 or GS 160-256, if charges for water and sewerage service not paid within ten days after due, charges and non-payment penalties to be lien upon property served. Charges and penalties may be collected either by suit in name of town, or by tax collector by public sale pursuant to rules of lien foreclosures on real estate for ad valorem taxes.] To Local Government.

HB 665 - (Moore) Introduced by Auman
"To authorize the qualified voters of the Town of Robbins to determine whether or not alcoholic beverage control stores may be operated in said town." [Upon own motion or petition signed by at least 15% of registered and qualified voters, governing body of Robbins to order election on question of whether Moore County ABC Board shall operate ABC Store in Robbins. Governing body to set election date which may be on same date as regular biennial election of town officers; election costs to be paid from town general fund. Election to be conducted under appropriate municipal election rules and regulations; governing body to give at least 20 days' public notice prior to opening registration books; books to remain open for eight days prior to special election; new registration shall not be necessary and all qualified electors registered prior to special election, entitled to vote; sets out form of ballot. If ABC Store authorized, Moore County ABC Board to open and operate such store, or stores, in Robbins as provided in GS Ch. 18 (Regulation of Intoxicating Liquors).] To Propositions and Grievances.

HB 666 - (Cleveland) Introduced by Mauney and Falls

"To provide for the nomination and election of members to the Board of Education of Cleveland County." [Provides for 5-member board of education nominated and elected by county voters, commencing at 1968 primary and general election, serving 4-yr staggered terms. Three candidates receiving highest vote elected to 4-yr terms and other two elected to 2-yr terms. In 1970 election and biennially thereafter expired terms to be filled. Primary and general elections to be conducted pursuant to election of county officers set out in GS Ch. 163 except as otherwise provided. If number of one political party's candidatesfiling is less or equal to number of offices to be filled, no primary necessary. Vacancies to be filled for unexpired terms by county executive committee of political party of member causing vacancy. Provides that board to hold first meeting on first Monday in December 1968 after taking oath of office. Board to elect chairman and other needed officers. Provides that terms of office of present board to continue until first Monday in December 1968.] To Education.

HB 667 - (Stanly) Introduced by Whitley

"To authorize the Board of County Commissioners of Stanly County to donate and convey a tract of land to and to appropriate funds to defray the costs of the operation of the Stanly County Vocational Workshop, Inc." [Authorizes County Commissioners in their discretion to donate 5-acre tract of Albemarle land (particularly described, but generally being a portion of tract of County Home property on North side of NC #1421) to Stanly County Vocational Workshop, Inc. for purpose of maintaining vocational training for handicapped, or in lieu thereof $3,000 to defray cost of Workshop's sheltered workshop. Land transfer subject to reversion to county when tract use for described purposes ceases.] To Local Government.

HB 669 - (Guilford) Introduced by Whitley, Bowles, Edwards, Exum, Phillips, and Short

"To exempt Guilford County from Chapter 85A of the General Statutes relating to bail bondsmen." [As title indicates.] To Counties, Cities and Towns.

HB 670 - (Ashe) Introduced by Barr

"To increase the membership of the Board of County Commissioners of Ashe County from three to five members." [Adds Ashe County to list of those covered by GS 153-5 (increasing number of county commissioners from three to five). Provides that at election for county officers held in Ashe county in 1968, and quadrennially thereafter, two commissioners shall be elected to 4-yr terms and at election held in county in 1970, and quadrennially thereafter, three commissioners shallbe elected to 4-yr terms. Until two commissioners elected in 1968, board shall consist of three members.] To Counties, Cities and Towns.

HB 671 - (Ashe) Introduced by Barr

"To amend Chapter 843, Session Laws of 1959, relating to the election of the Board of Aldermen of the Town of West Jefferson, Ashe County." [Amends SL 1959, Ch, 843 to provide for mayor and five member board of aldermen to be elected on first Tuesday after first Monday in May, 1968. Mayor to be elected for 4-yr term; two aldermen candidates receiving highest vote to be elected for 4-year terms and three receiving next highest vote to be elected for 2-yr terms. In 1970 and biennially thereafter, aldermen to be nominated and elected to replace members whose terms next expire and persons so elected to serve for terms of 4-yrs.] To Counties, Cities and Towns.

HB 675 - (Dare) Introduced by Burrus and Roberson
"To amend Chapter 130, Session Laws of 1967, by appointing William Brantley Twiford to the Dare County Board of Education." [Amends SL 1967 Ch. 130 (HB 287) by appointing William Brantley Twiford to cited board to fill term caused by resignation of Horace B. Hooper.] To Education.

HB 676 - (Dare) Introduced by Burrus and Roberson
"For the establishment of a bird sanctuary on Roanoke Island." [Makes it unlawful (punishable by fine up to $50 or imprisonment up to 30 days) to hunt, kill or trap birds within territorial limits of Roanoke Island. Exempts areas of marsh where water fowl are hunted and provides that protection does not extend to any birds classified as predatory by Wildlife Resources Commission.] To Counties, Cities and Towns.

HB 677 - (Hyde) Introduced by Burrus and Roberson
"Prohibiting hunting from any public road in Hyde County." [As title indicates, makes it misdemeanor, punishable by fine or imprisonment in court's discretion, to hunt, take, or kill any game bird or animal from right-of-way of any public road in county. Effective July 1, 1967.] To Wildlife Resources.

HB 678 - (Iredell) Introduced by Tolbert and Boger
"To amend G.S. 105-345 relative to discounts for early payment of taxes in Iredell County and the City of Statesville." [Modifies GS 105-345(6), as it applies to Iredell County and City of Statesville, to provide that prepayment of taxes may be made between August 1st and October 1st of any year by payment to county or city accountant, city clerk, auditor or treasurer, as governing body may determine, with deduction of 2% if paid between August 1st and on or before September 1st and 1% if paid during month of September.] To Local Government.

HB 679 - (Carteret) Introduced by Taylor, Godwin and Sugg
"To make Chapter 504 of the Session Laws of 1965, relating to historic buildings and sites, applicable to the town of Beaufort." [Makes cited Act applicable to town of Beaufort and the area within its zoning jurisdiction.] To Judiciary 2.

HB 680 - (Carteret) Introduced by Taylor, Godwin and Sugg
"To amend the Charter of the Town of Beaufort, Chapter 435 of the Private Laws of 1913, to authorize the adoption of a town seal." [As title indicates.] To Judiciary 2.

HB 684 - (Wake) Introduced by McMillan, Johnson, Bunn, and Twiggs
"To make it a misdemeanor to abandon domestic animals on public highways, public places or property of another in Wake County." [As title indicates.] To Judiciary 1.

HB 685 - (Pender) Introduced by Ragsdale
"Amending the Town Charter of the Town of Topsail Beach, to permit the levy and collecting of ad valorem taxes at a rate not exceeding one dollar and fifty cents ($1.50) on the one hundred dollar ($100.00) valuation of taxable property." [Amends SL 1963, Ch. 67 (Topsail Beach Charter) to enable town to increase ad valorem tax rate, for taxes due 1968 and thereafter, to not more than $1.50 per $100 valuation (now, not more than $150 per $100).] To Counties, Cities and Towns.

HB 687 - (Rowan) Introduced by Mitchell

"To prohibit the creation of loud and unnecessary noises generally in China Grove Township of Rowan County." [As title indicates, prohibits loud noises such as, but not limited to, blowing horn or sounding signal devices on stationary vehicles, keeping animals or birds which cause frequent or long continued and disturbing noises, and shouting and crying of peddlers, hawkers, etc, that disturb the quiet and peace of the neighborhood, unless permission of Rowan County Commissioners, Chief of Police of North Kannapolis in that part of Kannapolis, or Mayor of Landis in City of Landis, and Mayor of China Grove in City of China Grove has been given to make such noises. Violation of statute to be misdemeanor with fine not to exceed $25.] To Local Government.

HB 688 - (Rowan) Introduced by Mitchell and Troxell

"Amending Chapter 251 of the Public-Local Laws of 1939 relating to the Rowan County Auditor." [Amends Pub. Local L. 1939, Sec. 2 to provide that on first Monday in December 1970, and biennially thereafter, board of commissioners shall appoint auditor for 2-yr term (now, auditor elected to 4-yr term). Any vacancy in office of auditor to be filled by board for unexpired term.] To Counties, Cities and Towns.

HB 689 - (Burke) Introduced by Ervin

"To amend the Charter of the City of Morganton." [Provides that Morganton elections shall be governed by election law procedures of GS Ch. 160, Art. 3. Provides for $1,200 annual salary for mayor and $900 each for aldermen, payable monthly. Redefines corporate limits by metes and bounds, excepting State owned lands of Broughton Hospital, land of T.H. Sain at US 70-Walton Road junction, and land of Mrs. Jerry Poovey and Donald Buff on Greenbriar Lane. Provides for city to be divided into four wards, changeable only by act of General Assembly, and sets out boundaries by metes and bounds, with same exceptions as above; provides for board of elections to enlarge nearest ward to include annexed areas. Effective on ratification, except for salary provisions, which are to be effective July 1, 1967.] To Judiciary 1.

HB 692 - (Martin) Introduced by Everett

"To authorize the City of Williamston to acquire land for sanitary landfill or garbage disposal purposes." [Authorizes city to acquire by purchase pursuant to GS 160-204 or by eminent domain pursuant to GS 160-205 any land in fee simple or any lesser interest in land, within or without its corporate limits, for sanitary landfill or other garbage disposal purposes.] To Counties, Cities and Towns.

HB 693 - (Madison) Introduced by Ramsey and Messer

"To compensate the Jury Commission of Madison County for their services during 1967." [Authorizes county commissioners to pay each member of Jury Commission $10 for each day engaged in official duties. Payments to be made from county general fund and to be paid not later than December 31, 1967. Retroactive to January 1, 1967.] To Courts and Judicial Districts.

HB 694 - (Wilkes) Introduced by Billings

"Relating to the sale by the Wilkes County Board of Education of certain school property known as the Clingman School property in the Clingman Community in Wilkes County." [Authorizes the county board of education to sell Clingman school property at private sale to any organization of Clingman Community for purpose of operating community center upon price and terms board deems best. Terminates any proceedings pursuant to GS 115-126 (relating to sale of school property) relating to Clingman School Property.] To Counties, Cities and Towns.

HB 695 - (Graham) Introduced by McGlamery by request

"To amend the Charter of the Town of Robbinsville, Graham County, relating to the hiring of policemen." [Amends Priv. L. 1911, Ch. 214 to authorize employment of policemen who are not residents or qualified voters of town.] To Counties, Cities and Towns.

HB 696 - (Caswell) Introduced by Gunn

"Relating to the publication, or posting in lieu of publication, of the monthly disbursements of the Board of Commissioners of Caswell County." [Authorizes county commissioners to publish monthly, in newspaper having general circulation in county, statement signed by clerk of board showing amount and purpose of disbursements and name of party to whom paid. If such statement not published then board must post it monthly, at courthouse door.] To Counties, Cities and Towns.

HB 697 - (Caswell) Introduced by Gunn

"Relating to the publication of budget estimates, budget resolutions, and budget changes in Caswell County." [Modifies GS 153-119 (time for filing budget estimates) to provide that statement shall show in detail budget estimate with respect to budget of each separate county department, agency or activity. Amends GS 153-121 (copies of resolution filed with county treasurer and county accountant) to provide that copy of budget resolution, within 20 days after adoption, be published in at least one newspaper published in county in sufficient detail to show separate appropriation for each county department, agency or activity; same publishing requirements to apply to any amendments to budget resolution.] To Counties, Cities and Towns.

HB 698 - (Brunswick) Introduced by Williamson and Collier

"To rewrite Chapter 849 of the Session Laws of 1963, relating to the nomination and appointment of the members of the County Board of Education of Brunswick County." [Rewrites SL 1963, Ch. 849 to replace present nonpartisan election for Brunswick Board of Education. Provides that five member board be elected for 4-year terms; one member to be nominated from Waccamaw and one from Leland school districts at 1968 Brunswick County primary election and one from each of the Southport, Bolivia, and Shallotte school districts at 1970 Brunswick County primary election. Candidates to file notice of candidacy with board of elections which shall state candidate's district and political party affiliation. Separate ballots to be provided according to primary laws as set forth in GS Ch. 163 (Elections and Election Laws); candidates from each district to be voted upon in primary by electors of county at large and if candidate does not receive majority of votes from any particular district, candidate receiving second highest votes for candidates from the particular district may call for runoff as provided by state primary laws. Candidates receiving district nomination to be certified by county board of elections to State Superintendent of Public Instruction under general law provisions; candidates then appointed by General Assembly to take office on first Monday in April following nomination and appointment and to serve 4-year terms or until successors qualified. Vacancies to be filled by remaining board members for remainder of unexpired term but person appointed must be from same district and must affiliate with same political party as person he replaces. If there are no candidates from any district from which candidate is to be nominated, a vacancy exists which shall be filled as set out above.] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 62 - Highway markings (Senate committee substitute, 4/18). Reported unfavorably.
SR 152 - (Joint Resolution) Full-year school study, as amended in Senate 4/10. Reported favorably; re-referred to Appropriations.
SB 161 - Equitable 'Safe Driver Plan'. Reported favorably as amended.
SB 162 - Car financial responsibility, as amended in Senate 4/21. Reported favorably.

HB 142 - Securities law exemption. Passed second and third readings.
HB 316 - Militia amendment. Reported favorably.
HB 427 - Foreign trusts intangible tax. Amended to provide that Act not to be considered in determining tax liability or method of computing tax liability of taxpayer for any year prior to effective date and to make act effective upon ratification (original effective January 1, 1967). Passed second and third readings.
HB 446 - Const. change: legislator pay. Reported favorably.
HB 467 - Veterans Comm'n & scholarships. Reported favorably as amended.
HB 468 - Veterans guardianship changes. Reported favorably.
HB 471 - Senate and House districts. Reported favorably.
HB 504 - Proof of laws. Amended to make effective July 1, 1967. Passed second and third readings.
HB 548 - Veterans' employment preference. Reported favorably.
HB 616 - Charitable immunity no defense. Passed second reading.
HB 631 - County-water, sewer protection. Postponed to May 3.
HB 635 - Commercial driver training. Reported favorably as amended.
HB 639 - Farm commodity tax assessment. Reported favorably.

LOCAL BILLS

SB 248 - (Robeson) Confirms drainage district. Received from Senate; sent to Local Government.
SB 249 - (Robeson) Aiding county poor. Received from Senate; sent to Local Government.

HB 479 - (Burke) Morganton tax lien bar, as amended in Senate 4/25. Received for concurrence in Senate amendment; concurred.
HB 480 - (Burke) Morganton late tax penalties, as amended in Senate 4/25. Received for concurrence in Senate amendment; concurred.
HB 526 - (Buncombe) School board elections. Passed.
HB 579 - (Avery, Mitchell, Watauga) Shrub-napping extended. Passed.
HB 599 - (Johnston) Smithfield, Selma zoning. Passed.
HB 600 - (Johnston) Tax foreclosure costs. Passed.
HB 601 - (Johnston) Commissioner's salaries. Passed.
HB 602 - (Johnston) CSC fund transfer. Passed.
HB 603 - (Johnston) Jail fees. Passed.
HB 625 - (Forsyth) Dog damages. Passed.
HB 626 - (Forsyth) Winston-Salem purchasing. Passed.
HB 627 - (Forsyth) Joint purchasing. Passed.
HB 628 - (Forsyth) Airport Commission. Passed.
HB 629 - (Forsyth) Watershed improvement program. Passed.
HB 633 - (Forsyth) Fortune-telling unlawful. Re-referred to Judiciary 1.
HB 641 - (Richmond) Reorganizing school units. Amended to specify that General Assembly appoint members of board of education. Passed.
HB 657 - (Robeson) Fairmont school board. Passed second and third readings.

Next session of House: 12 noon, April 27, 1967.

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DAILY BULLETIN

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BULLETIN NO. 57

Thursday, April 27, 1967

Session: Senate -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 321 - Introduced by Harrington

"To amend Article 3, Chapter 20, of the General Statutes so as to provide no combination of vehicles shall exceed a total length of sixty-five feet." [Amends GS 20-116(e) to provide that no combination of two vehicles coupled together is to exceed 55 feet, and no combination of more than two vehicles coupled together to exceed 65 feet subject to exceptions as before (now, permits no more than two vehicles coupled together, and not totaling more than 55 feet). Identical with HB 738.] To Public Roads.

LOCAL BILLS INTRODUCED -- SENATE

SB 314 - (Iredell) Introduced by Henkel

"To amend G.S. 105-345 relative to discounts for early payment of taxes in Iredell County and the City of Statesville." [Identical with HB 678, digested in the House section of yesterday's Bulletin (Bulletin No. 56, April 26).] To Finance.

SB 315 - (Polk) Introduced by Buchanan

"Relating to ambulance service in Polk County." [Authorizes county commissioners to expend money to insure adequate ambulance service in county through contracts, grants or other provisions with governmental or private agencies within or without State.] To Local Government.

SB 316 - (Polk) Introduced by Buchanan

"To authorize the Town of Columbus in Polk County to sell certain land at private sale." [Authorizes governing body of Town of Columbus to sell at private sale a parcel of land of about 19.13 acres, acquired from E. H. and Jeanette F. Gibbs, and recorded in office of Polk County Register of Deeds in book 120, page 78.] To Local Government.

SB 317 - (Polk) Introduced by Buchanan

"Relating to the compensation of the Board of County Commissioners of Polk County." [Authorizes county comm'rs to fix salary of comm'rs at not over $150 per month and chairman at not over $200 per month.] To Salaries and Fees.

SB 318 - (Polk) Introduced by Buchanan

"Authorizing the Board of County Commissioners of Polk County to impose certain tax collecting duties on a deputy register of deeds." [As title indicates, authorizes county commissioners upon appointment of deputy register of deeds to impose ex officio duties as assistant tax collector.] To Local Government.

SB 319 - (Union) Introduced by Griffin
"To amend Chapter 19 of the 1965 Session Laws relating to the water shed improvement program in Union County." [Amends cited Act to permit Union Commissioners to increase watershed improvement to 2¢ (now, 1/2¢) per $100 property valuation.] To Local Government.

SB 320 - (Yancey) Introduced by Dent
"To provide for the election of the Board of Education of Yancey County, (notwithstanding provisions of Article 5, Chapter 115 of General Statutes)." [Provides for non-partisan election of 5-member Yancey Board of Education in 1968 general election and quadrennially thereafter. Any resident county elector eligible for election upon payment of filing fee ($10) to county board of elections within filing period for primaries. Candidates not to declare party affiliation and not to run in primaries. Provides for form of ballots and filling of vacancies by remainder of board for unexpired term or until next general election, whichever comes first. Persons to qualify by oath of office prior to taking office first Saturday in Feb. following election. Sets salaries of board members at $200 per year plus 8¢ per mile travel allowance while performing duties of office. Specifies that GS Ch. 115, Art. 5 (relating to county boards of education) not applicable to Yancey where in conflict with provisions of Act.] To Elections and Election Laws.

SB 322 - (Carteret, Craven, Pamlico) Introduced by Whitehurst
"To amend G.S. 153-10.1, relating to removal and disposal of trash, garbage, etc., so as to make said section applicable to Carteret, Craven and Pamlico Counties." [Adds Carteret, Craven and Pamlico to list of Counties authorized to regulate removal and disposal of trash, garbage, etc. outside of municipal limits. If such regulations enacted, violation a misdemeanor punishable by fine not more than $50 or imprisonment not more than 30 days with each week violation continues a separate offense.] To Local Government.

SB 323 - (Carteret, Craven, Pamlico) Introduced by Whitehurst
"To make it a misdemeanor to abandon domestic animals on public highways, public places or property of another in Carteret, Craven and Pamlico Counties." [As title indicates.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 82 - East Carolina University. Amendment adopted making technical changes and deleting authorization for two year school of medicine at East Carolina University. Failed to pass second reading.
SB 83 - Teachers summer expenses. Reported favorably.
SB 126 - Bakery license tax. Reported favorably.
SB 155 - Chain store tax exemption. Reported favorably.
SB 203 - Interstate education compact. Reported favorably as amended; re-referred to Appropriations.
SB 251 - Deaf children pre-schooling. Reported favorably; re-referred to Appropriations.
SB 262 - School damage rewards. Reported favorably.

HB 142 - Security law exemption. Received from House; sent to Judiciary 2.
HB 150 - Onslow tech. Reported favorably.
HB 268 - Chiropractic amendments. Reported favorably, as amended.
HB 346 - Real estate license amendment. Reported favorably.
HB 354 - Farm clearing tax deduction. Reported favorably.
HB 383 - Corp. franchise tax changes. Reported favorably.

HB 427 - Foreign trusts intangible tax, as amended in House 4/26. Received from House; sent to Finance.
HB 504 - Proof of law, as amended in House 4/26. Received from House; sent to Judiciary 1.

LOCAL BILLS

SB 291 - (Wayne) Goldsboro aldermen pay. Passed.
SB 296 - (Buncombe) Assistant, deputy court clerks. Passed.
SB 301 - (Catawba) Hickory school board deeds. Passed.

HB 413 - (New Hanover) Wilmington retirement. Passed.
HB 414 - (New Hanover) Wilmington pension trustees. Passed.
HB 415 - (New Hanover) Charter revisions. Passed.
HB 483 - (Richmond) Specifying approval dates. Passed.
HB 526 - (Buncombe) School board elections. Received from House; sent to Elections and Election Laws.
HB 534 - (Pasquotank) Conveyance to Museum. Passed.
HB 547 - (Brunswick) Public drunkenness. Passed.
HB 579 - (Avery, Mitchell, Watauga) Shrub-napping extended. Received from House; sent to Judiciary 2.
HB 599 - (Johnston) Smithfield, Selma zoning. Received from House; sent to Judiciary 2.
HB 600 - (Johnston) Tax foreclosure costs. Received from House; sent to Judiciary 1.
HB 601 - (Johnston) Commissioners salaries. Received from House; sent to Salaries and Fees.
HB 602 - (Johnston) CSC fund transfer. Received from House; sent to Local Government.
HB 603 - (Johnston) Jail fees. Received from House; sent to Local Government.
HB 625 - (Forsyth) Dog damages. Received from House; sent to Local Government.
HB 626 - (Forsyth) Winston-Salem purchasing. Received from House; sent to Local Government.
HB 627 - (Forsyth) Joint purchasing. Received from House; sent to Local Government.
HB 628 - (Forsyth) Airport commission. Received from House; sent to Local Government.
HB 629 - (Forsyth) Watershed improvement program. Received from House; sent to Judiciary 2.
HB 641 - (Richmond) Reorganizing school units, as amended in House 4/26. Received from House; passed second and third readings.

BILLS RATIFIED

HB 450 - Municipal elections changes, as amended in House 4/17. [Ch. 241]
HB 479 - (Burke) Morganton tax lien bar, as amended in Senate 4/25. [Ch. 242]
HB 480 - (Burke) Morganton late tax penalties, as amended in Senate 4/25. [Ch. 243]
HB 657 - (Robeson) Fairmont school board. [Ch. 244]

Next session of Senate: 9:00 a.m., Friday, April 28, 1967.

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BULLETIN NO. 57
Thursday, April 27, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 699 - Introduced by Johnson of Wake
"To authorize the State Highway Commission to cooperate with counties in establishing and operating garbage disposal facilities." [Authorizes State Highway Comm'n and any county to enter agreement to use prison and other labor and equipment upon agreed basis of reimbursement by county in connection with establishing and operating garbage disposal facilities in areas outside incorporated cities and towns, under provisions of GS Ch. 153 Art. 22 "Garbage Collection and Disposal."] To Roads.

HB 700 - Introduced by Godwin of Gates and Culpepper
"Appropriating funds for Historic Edenton." [Appropriates to Department of Archives and History $50,000 to aid in completing restoration of Cupola House, James Iredell House, and Barker House and to establish Barker House visitor center.] To Appropriations.

HB 715 - Introduced by Vogler, and others
"To require operators of inns, hotels, motels, tourist camps, cabin camps, tourist homes, roadhouses or similar establishments who are required by law or ordinance to keep a register of guests to permit inspection of such register by any law enforcement officer having power to arrest." [Requires operators of cited establishments who are required by law or ordinance to register guests in their true name to permit inspection of register by any law enforcement officer with arrest power provided the officer identifies himself as law enforcement officer.] To Judiciary 2.

HB 717 - Introduced by Ramsey of Madison and others
"To amend G.S. 113-104 so as to permit hunting of squirrels and rabbits with pistols." [Amends cited section by providing that pistols with barrels not less than six inches in length may be used in hunting or taking of squirrels or rabbits on one's own land or on land in one's legal possession, or on lands of another with express permission. Applies only to following counties: Madison, Yancey, Haywood, Buncombe, Caldwell, Alexander, Cherokee, Clay, Graham, Macon, Cleveland, Polk and Rutherford.] To Wildlife Resources.

HB 725 - Introduced by Quinn
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire control purposes." [Appropriates $2,827 each year of 1967-69 biennium to C&D for salary and other expenses of assistant county ranger for Cabarrus County. Effective July 1, 1967.] To Appropriations.

HB 738 - Introduced by O'Hanlon
"To amend Article 3, Chapter 20, of the General Statutes so as to provide no combination of vehicles shall exceed a total length of sixty-five feet." [Identical with SB 321, digested in the Senate section of today's bulletin.] To Roads.

HB 739 - Introduced by O'Hanlon and others
"To amend North Carolina General Statutes 115-230 as it relates to cosmetic art." [Amends cited section (powers of State Board of Education with respect to vocational education) by providing that no courses or instruction in

cosmetic art shall be taught in any public school system where there exists within the area a duly licensed private school offering such instruction and serving needs of area. Provides that present courses in cosmetic art in public school systems to be continued until enrollees at time of ratification of Act complete course.] To Education.

HB 749 - Introduced by Hill and Taylor of Carteret

"Amending G.S. 105-164.4, relating to sales tax to provide that boats shall be subject to the same gross sales tax as is now imposed on airplanes, railroad locomotives, railroad cars and motor vehicles." [Amends GS 105-164.4 to make rate of retail sales tax on sale of boats 1-1/2% (now 3%) of sales price with maximum of $120 for any one sale, as is now applicable for sale of any airplane, railway locomotive, railway car or motor vehicle. Effective July 1, 1967.] To Finance.

HB 750 - Introduced by Hill

"To prohibit the discharge of firearms on state maintained highway rights of way." [Makes it unlawful to fire or discharge firearm on any road, street or highway maintained or supported by NC State Highway Commission. Provides punishment by imprisonment up to 30 days or fine up to $200 or both in discretion of court, and confiscation of weapon used.] To Judiciary 2.

HB 753 - Introduced by Roberson, by request

"To confer immunity on physicians and pathologists who report diagnoses of cancer to local health directors and the State Board of Health." [Adds new GS 130-187 (apparently intended to be GS 130-186.1) to declare that any physician or pathologist making report to local health director or State Bd. of Health, pursuant to GS Ch. 130 Art. 17 "Cancer Control Program", to be immune from civil or criminal liability for such report unless made in bad faith or with malicious purpose.] To Judiciary 2.

HB 754 - Introduced by Exum and others

"To provide financial assistance to the Guilford Musical Arts Center, Incorporated." [Appropriates from General Fund $15,000 for 1967-68 fiscal year to cited organization to be used for operating expenses and continuation of program.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 701 - (Onslow) Introduced by Mohn by request

"To authorize the Board of Commissioners of Onslow County to levy a tax not exceeding fifteen cents ($.15) on each bottle of alcoholic beverages sold in the Onslow County ABC stores." [Authorizes board of comm'rs to levy 10¢ tax on each bottle of alcoholic beverage sold by ABC stores for purpose of improving county library system; tax to remain until library system in opinion of comm'rs has been brought up to standard. Further authorizes comm'rs to levy tax not to exceed 5¢ on each bottle of alcoholic beverage for purpose of initiating operation of garbage and refuse disposal program within Onslow County. Upon certification of comm'rs to Onslow ABC board that tax has been levied, board to require appropriate charge to be made and revenues derived to be paid into office of county auditor at such times as ABC board shall direct. Effective July 1, 1967.] To Finance.

HB 702 - (Gaston) Introduced by Bumgardner and Stewart

"To amend sections 105-306(26); 105-308; 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of Commissioners of Gaston County to prescribe regulations relating to the listing of property for

taxation in Gaston County." [Authorizes cited board to prescribe regulations as to type and form of oath and manner of administering it, relating to listing of property by agents, and listing by mail. Makes GS 105-306(26) and GS 105-308 (form of oath), GS 105-309 (listing by agents) and GS 105-310 (listing by mail) applicable except as inconsistent with authority here given. Makes misdemeanor penalty provision of GS 105-307 (up to $50 fine or up to 30 days imprisonment) applicable to whatever regulations adopted by board.] To Counties, Cities and Towns.

HB 703 - (Gaston) Introduced by Bumgardner

"To amend Chapter 473 of the 1963 Session Laws, to re-define the corporate limits of the Town of Spencer Mountain, Gaston County, North Carolina." [As title indicates; sets out limits by metes and bounds.] To Counties, Cities and Towns.

HB 704 - (Gaston) Introduced by Bumgardner

"To fix the salary of the members of the city council of the City of Belmont." [Fixes Belmont city council members' salaries at $600 per year.] To Counties, Cities and Towns.

HB 705 - (Gaston) Introduced by Bumgardner

"Amending G.S. 143-135 relating to the letting of public contracts by the city of Belmont." [Modifies cited section by raising from $15,000 to $25,000 the amount of costs below which the requirements of GS Ch. 143, Article 8 (Public Building Contracts) need not be followed. Applicable only to Belmont, at option of city council.] To Counties, Cities and Towns.

HB 706 - (Gaston) Introduced by Bumgardner

"To incorporate the Town of Cramerton in Gaston County, North Carolina." [Incorporates Town of Cramerton with all general municipal corporate powers, and sets out boundaries by metes and bounds. Provides for 5-member board of comm'rs and mayor, all elected at large for 2-year terms with first election to be held on first Tuesday after first Monday in May, 1969; names as initial mayor, J. Paul Featherston, and names as initial commr's Albert Reece, Parks Featherston, Millie Malone, G. M. Michaels and L.P. Martin. Provides for organization and procedures of board, with first meeting to be held within 30 days after effective date of Act; requires affirmative vote of majority of elected members of board to adopt ordinances or other actions, and requires yeas and nays on all ordinances. Provides for elections to be conducted in accord with GS Ch. 160, Art. 3 except as herein modified; provides for nominations by filing of candidacy procedure, with $5 filing fee; prescribes registration procedure and dates and certification of results of elections to town clerk for recording; elected officials to take office on day following election. Empowers town to exercise all general law municipal powers concerning taxes and borrowing; planning and zoning; and local police and sanitary regulations. Authorizes town to furnish all local public services; to acquire and maintain local public utilities; to acquire by condemnation or otherwise within or without corporate limits property necessary for such purposes, subject to restrictions imposed by general law for protection of other communities; to grant local public utility franchises; and to make local public improvements and acquire necessary property by condemnation or otherwise. Provides for town board to appoint town clerk, treasurer, tax collector, attorney, police and fire chiefs, street and water sup't and other personnel; residence within town not necessary unless ordered by board; one person may be designated to fill any two or more positions. Provides for handling of town funds, and requires all expenditures for supplies and equipment involving over $1,000 to be on written contract and by bids.] To Counties, Cities and Towns.

HB 707 - (Watauga) Introduced by Tate and Isaac
"To make G.S. 14-335, Subdivision 1, applicable to Watauga County." [Adds Watauga to list of counties in which person found drunk or intoxicated on public highway, or at any public place or meeting, is guilty of misdemeanor, upon conviction to be punished by fine of not more than $50 or by imprisonment for not more than 30 days.] To Local Government.

HB 708 - (Harnett) Introduced by Staton and Love
"To make certain General Statutes applicable to Harnett County." [Strikes Harnett from list of counties exempted from GS 153-9(52), authorizing comm'rs to appoint county building inspectors. Strikes Harnett from list of counties exempted from GS 153-9(55), authorizing comm'rs to regulate and prohibit nuisances and related activities. Adds Harnett to list of counties authorized by GS 153-9(47) to appoint county plumbing inspectors. Adds Harnett to list of counties authorized by GS 153-10.1 to regulate garbage and trash removal and deposit.] To Judiciary 1.

HB 709 - (Harnett) Introduced by Staton and Love
"Authorizing the Clerk of Superior Court of Harnett County to transfer certain funds to the general fund of said county." [Authorizes CSC to transfer $3,026.48 in "Undistributed Interest Accumulated on Savings Accounts" to county general fund.] To Judiciary 2.

HB 710 - (Lee, Harnett) Introduced by Staton and Love
"To amend Chapter 1073, Session Laws of 1959, relating to possession and sale of weapons in Lee and Harnett Counties." [Amends cited statute by transferring from the sheriff to the clerk of superior court the duty of disposing of confiscated weapons in Harnett and Lee.] To Judiciary 1.

HB 711 - (Burke) Introduced by Ervin
"Relating to discounts for prepayment of ad valorem taxes to the Town of Valdese so as to provide the same discount as is allowed for prepayments to Burke County." [Authorizes prepayment discount for ad valorem taxes owed to Valdese, beginning with 1967 tax year, as now permitted for prepayment of such taxes to Burke County by SL 1965 Ch. 126 (1% discount from July 1 to 30th day after mailing of notices).] To Judiciary 1.

HB 712 - (Burke) Introduced by Ervin
"To amend G.S. 105-422, relative to the limitation on actions to recover ad valorem taxes, so as to make the statute applicable to the Town of Valdese." [Makes cited section applicable to Valdese (now inapplicable to all municipalities in Burke County), providing that tax liens are barred after ten years from time taxes became due. Makes SL 1959, Ch. 373 (relating to barring tax liens in Burke County) inapplicable to Valdese. Provides that act shall not affect pending litigation.] To Judiciary 1.

HB 713 - (Alexander) Introduced by Ervin, Tate, and Kincaid
"To fix the salaries of certain officials of Alexander County." [Sets salaries as follows: CSC-$6,400; sheriff-$7,000; register of deeds-$5,500; and assistant CSC and deputy register of deeds-$3,600 to $4,000 as set by county comm'rs. Effective July 1, 1967.] To Local Government.

HB 714 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson Hunter and Jones.
"Amending the charter of the town of Cornelius as contained in Chapter 367, Private Laws of 1905, as amended, relative to the compensation of the Mayor and of the members of the Board of Commissioners." [Amends cited charter to provide mayor to receive $700 per year and board members to receive $10 (now, $4) for each regular or called meeting attended.] To Counties, Cities and Towns.

HB 716 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter, and Jones

"To amend the county zoning enabling act insofar as it applies to Mecklenburg County." [Modifies GS 153-266.10 to authorize Mecklenburg County Comm'rs to define "bona fide farm" and "farm purposes" by ordinance. Amends GS 153-266.17 to authorize board of comm'rs to provide for appointment of five to thirteen member board of adjustment (now five) and to change "four" to "a majority" of members necessary to reverse any order, requirement, decision, or determination of any administrative official charged with enforcement of ordinance adopted pursuant to Art. 20B (Zoning and Regulation of Buildings).] To Counties, Cities and Towns.

HB 718 - (Gaston) Introduced by Stewart

"To authorize the qualified voters of the Town of Dallas to determine whether wine and beer may be legally sold and alcoholic beverage stores operated in the Town of Dallas." [Authorizes governing body of Dallas to call special election on question of whether wine and beer may be sold and whether ABC stores may operate in Dallas; election date as governing body determines; election costs from town general fund. All qualified electors may vote; no new registration required; special election, if called, to be conducted in same manner as town general elections. If special election called on legal sale of wine and beer, prescribed ballots provide for separation of wine issue and beer issue for purpose of voting; in event of majority vote for beer and/or wine, governing body to issue only "off premises" (as defined in GS 18-64) licenses for such sales of unrefrigerated products only. If special election called for consideration of municipal ABC stores and if majority favor, by use of prescribed ballots, ABC stores to be set up and operated. Should subsequent election vote out ABC stores, then such stores given three months to close and cease operations and dispose of all alcoholic beverages, fixtures and property by converting same to cash for deposit into town general fund; thereafter laws applicable to sale of intoxicating beverages prior to favorable ABC vote again in effect; to remain so, until and unless, town ABC position again reversed. If town authorizes ABC stores, town to immediately create 3-member ABC board serving staggered 3-year terms, chm. designated for 3-year term by town governing body. Powers of town ABC board are as prescribed in GS 18-45 (relating to powers and duties of county ABC boards) except GS 18-45(15) (relating to expenditures from ABC profits for law enforcement and alcoholic rehabilitation) and town ABC board subject to State Board of ABC as are county ABC boards (GS 18-64). GS Ch. 18, Art. 3 to govern town ABC board except where in conflict with Act; to be read as if specifically applicable to town (now, reads "county" throughout). Per diem and subsistence allowance of board governed by town governing body. Town ABC board to pay all expenses out of gross revenue and retain working capital they deem sufficient and proper; remainder of revenue, as determined by quarterly audit, paid quarterly into town general fund. Authorizes use by town of revenue derived from ABC operations for any governmental purpose, and requires town to use 5% of net ABC profits for law enforcement.] To Propositions and Grievances.

HB 719 - (Rowan) Introduced by Mitchell and Troxell

"To authorize the Board of County Commissioners of Rowan County, in their discretion, to levy a tax for the support and maintenance of the Rowan Public Library." [Authorizes cited board to levy special tax of not less than one cent nor more than five cents on $100 valuation for support of Rowan Public Library. Declares tax and appropriations necessary expense and for special purpose, valid without county election.] To Finance.

HB 720 - (Rowan) Introduced by Mitchell and Troxell
"Amending G.S. 152-5 relating to fees of coroners in Rowan County." [Amends cited section by raising from $5 to $10 daily fee coroner receives for holding inquest.] To Counties, Cities and Towns.

HB 721 - (Rowan) Introduced by Mitchell and Troxell
"To increase the salary of certain elected officials in Rowan County." [Sets annual salaries of officials as follows: sheriff-$8,800; auditor-$8,500; CSC-$8,400; judge of county court-$8,400; solicitor of county court-$7,200; register of deeds-$8,400. Effective July 1, 1967.] To Counties, Cities and Towns.

722 - (Rowan) Introduced by Mitchell and Troxell
"Pertaining to Article 3, Chapter 139, of the General Statutes as the same relates to a watershed improvement program in Rowan County." [Authorizes county comm'rs to exercise powers under GS Ch. 139, Art. 3 providing for levy, collection and expending of funds derived from special watershed improvement tax; tax not to exceed 2¢ on $100 property valuation. Board may act on own motion without election as provided by GS 139-39 and GS 139-40. Funds derived to be for special purpose and necessary expense.] To Counties, Cities and Towns.

HB 723 - (Rowan) Introduced by Mitchell and Troxell
"To amend sections 105-306(26), 105-308, 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of Commissioners of Rowan County to prescribe regulations relating to the listing of property for taxation in Rowan County." [As title indicates. Exempts Rowan from cited provisions relating to what the tax list shall contain, oath of the taxpayer, listing of taxes by agents and listing by mail, insofar as those provisions may be inconsistent with regulations adopted by Rowan comm'rs for listing property for taxation in Rowan County.] To Counties, Cities and Towns.

HB 724 - (Rowan) Introduced by Mitchell and Troxell
"To provide for the election of the Board of Education of Rowan County." [On or about first Monday in April, 1967, Rowan board of education to be composed of following five members for terms as specified: Carr H. Lingle and Lane C. Dry--terms to expire on or about first Saturday in April, 1969; J. F. Harrelson and H. Lamar Trexler--terms to expire on or about first Saturday in April, 1971; and James A. Sloan--term to expire on or about first Saturday in April, 1973. Beginning with Rowan 1970 primary, and biennially thereafter, vacancies created by expiration of terms set out above to be filled by non-partisan election. Upon payment of $5 filing fee, any registered Rowan voter may become candidate for board membership. Separate ballot entitled "School Board" to be used; all qualified voters residing in Rowan County eligible to vote. Candidates receiving highest vote to be elected for 4-year terms without second primary; person so elected to take oath of office on or about first Saturday in April succeeding election. Vacancies to be filled within 30 days by members of school board and board of county comm'rs (vacancy before qualifying to be filled by members of two boards with whom member causing vacancy would have served); vacancies not filled within required time to be filled by State Board of Education.] To Education.

HB 726 - (Columbus) Introduced by Collier and Williamson
"Relating to the accumulated funds of the Columbus County Peace Officers' Association." [Authorizes executive board or governing body of Columbus County Peace Officers' Ass'n to distribute unobligated funds to Ass'n members on pro rata basis; after distribution Ass'n to cease operations for any benefit payment purposes.] To Counties, Cities and Towns.

HB 727 - (Columbus) Introduced by Collier

"To revise and consolidate the Charter of the City of Whiteville and to repeal prior charter acts." [As title indicates, continues City of Whiteville under revised charter, within boundaries set out by metes and bounds. Provides for mayor and 4-member city council elected at large for 4-year (council) and 2-year (mayor) terms, elected at biennial municipal elections on first Monday in May in odd years; nominations by filing of candidacy procedures with $5 filing fee; elections governed by general laws on municipal elections, except as herein provided. Provides for organization and procedure of council, with three votes (which may include mayor) necessary to adopt any ordinance or resolution or motion having effect of ordinance, and yeas and nays to be taken on all ordinances and resolutions. Provides for appointment of city manager by council as chief executive and administrative officer, and with power to appoint and remove all city officers and employees except city attorney (appointed by council); specifically authorizes him to appoint city clerk, tax collector, and accountant, and with council's approval to consolidate any two or more of such positions. Prohibits appointed city officials from running for public office. Provides for custody of city money; annual independent audit; delinquent taxes to be paid into general fund; property disposal procedures (realty, without bids at private sale if under $2,000 market value, or on exchanges; personalty, without bids at private sale if under $500 market value, or on informal bids if $500-$2,000, or on sealed bids if over $2,000). Extends police officers' jurisdiction to one mile extraterritorial plus city owned property wherever located. Authorizes street assessments without petition where street unsafe for traffic, in public interest to connect two streets or portions thereof, or for widening improved streets. Authorizes city to make sidewalk improvements or repairs and assess costs against abutting owners, and to charge abutters cost of sidewalk repairs or cleaning off debris, with a lien for expenses; also to clean refuse, weeds and trash from property within city, with similar lien. Authorizes city council to adopt subdivision control ordinance; to make city building and technical codes effective within one-mile extraterritorial area; authorizes council to establish rules governing appeals from building inspector and board of adjustment procedures. Prescribes requirements governing presentation of tort and contract claims against city (within 90 days after claim due or cause accrues); tort and contract actions (1-year limitation); real property actions (notice to council within two years); special provisions on tolling of limitations for minority and incapacity; and settlement of claims by city manager (personal injury and property damage up to $100; rounding of street corners and intersections, up to $500). Repeals 36 enumerated acts relating to Whiteville, including four to be superseded by Judicial Dep't Act in 1968, and provides various savings clauses.] To Counties, Cities and Towns.

HB 728 - (Dare) Introduced by Burrus and Roberson

"To provide for the filling of vacancies on the Board of County Commissioners of Dare County." [Amends GS 153-6 by adding Date to list of counties where board of commissioners authorized to fill vacancies in their membership. Requires board to seek recommendation of county executive committee of party whose member caused vacancy; recommendation not binding.] To Counties, Cities and Towns.

HB 729 - (Dare) Introduced by Burrus and Roberson

"To amend Chapter 1035, Session Laws of 1957 relating to the operation of motor vehicles, fishing, setting of nets and seines in certain beach areas in Dare County." [Amends cited act by adding provision to require (a) commercial fishermen engaged in fishing or setting of nets or seines in Atlantic Ocean abutting private property in designated beach areas to obtain written permission of property owners, and (b) commercial fishermen and all other fishing or operating nets and seines in designated beach areas to remove equipment from beach and site of operations after making haul or completing fishing operations. Act not to repeal SL 1959 Ch. 503 designating applicable beach areas.] To Commercial Fisheries and Oyster Industry.

HB 730 - (Hyde) Introduced by Burrus and Roberson
"To revoke the charter of the Town of Englehard in Hyde County." [As title indicates; repeals Pr. L. 1905, Ch. 419, Pr. L. 1913, Ch. 15 and Ex. Sess. Pr. L. 1913, Ch. 15.] To Counties, Cities and Towns.

HB 731 - (Henderson) Introduced by Garren
"To amend Chapter 313 of the 1965 Session Laws authorizing the Board of Commissioners of Henderson County to set the number of employees in certain county offices." [Amends cited statute by extending for additional two year period, commencing July 1, 1967, authority of cited board to hire additional assistants, and employees.] To Local Govemment.

HB 732 - (Davie) Introduced by Boger
"For the nomination and election of the members of the Board of Education of Davie County." [Provides for 6-member board of education, two to be elected at 1968 Davie general election for 6-year terms and two biennially thereafter. Candidates to file with chairman of board of elections without reference to political party within time now provided for filing of candidates for other county office and upon payment of $5; if four or less file, no primary election to be held and board of elections to certify candidates as nominees to be voted upon at general election; if more than four, separate ballot to be used and primary to be held, with four receiving highest vote to be nominees at nonpartisan general election. Elected members to take oath first Monday in April, 1969 and to serve six years or until successors elected and qualified; all members in office prior to first Monday in April, 1969 to complete terms. Vacancies to be filled by remaining board members for unexpired term.] To Education.

HB 733 - (Pitt) Introduced by Forbes by request
"To amend the Charter of the Town of Ayden, Chapter 79 of the Session Laws of 1965, to remove the limitation upon expenditure for recreation purposes." [Amends cited statute by deleting authority of commissioners to appropriate annually up to $10,000 from non-tax revenues for recreational purposes.] To Counties, Cities and Towns.

HB 734 - (Pitt) Introduced by Forbes by request
"To amend Chapter 146 of the Public-Local Laws of 1941 relating to the Utilities Commission of the City of Greenville." [Amends cited statute by authorizing cited commission to operate and maintain a community antenna radio and television service within area of its electric system if such franchise granted by Greenville.] To Counties, Cities and Towns.

HB 735 - (Pitt) Introduced by Forbes
"To provide a supplemental retirement fund for firemen in the City of Greenville and to modify the application of G.S. 118-5, G.S. 118-6, and G.S. 118-7 to the City of Greenville." [Directs board of trustees of Greenville local firemen's relief fund, established in accord with GS 118-6, to create separate fund called supplemental retirement fund (SRF) and maintain it separate from accounts of local relief fund (LRF). Provides that notwithstanding GS 118-7 (disbursement of funds by trustees) board to: transfer to SRF all funds of LRF in excess of $10,000 prior to January 1, 1968; transfer of SRF in each subsequent calendar year (within 30 days after receipt from city treasurer) all funds paid to LRF by authority of GS 118-5 (Insurance Commissioner funds); transfer from SRF to LRF amount sufficient to keep $10,000 in LRF (when amounts in LRF have been reduced by disbursements authorized by GS 118-7); divide (as soon as practicable after January 1 of each year but no later than July 1) earned income from SRF and LRF into equal shares and disburse amounts as supplemental retirement benefits as set out below.

Provides each retired fireman who retired with 20-yrs service or more to receive supplemental retirement benefits as follows: one share for each full year of service as full-time and fully-paid city fireman and 1/3 of one share for each full year of service as city volunteer fireman. Authorizes board to pay supplemental retirement benefits to any former city fireman not entitled under above provisions in any calendar year in which board makes following written findings of fact: fireman initially retired because of inability to perform duties; within 30 days prior to or following initial retirement, two physicians certified to such facts; that at time of initial retirement there was not available a position of employment in fire department or other city department that he could perform; that he remains (since preceding January 1) unable to perform duties (by evidence of certificate of two physicians); and that there is not available to him in fire department or in other city department a position which he can hold. Authorizes board to invest funds of LRF and SRF in any investment authorized by GS 160-411.5 or GS 160-431; requires board to invest all of SRF funds in such manner. Provides that investments in certificates of deposit or shares of building and loan or savings and loan associations not to exceed amounts insured by FDIC or FSLIC unless deposits or investments in shares are secured pursuant to GS 159-28 (secured by corporate surety bonds). Authorizes board to accept gifts for use of SRF. Requires board to bond treasurer of LRF in amount equal amount of funds in his control payable to board; bond to be in lieu of bond required by GS 118-6. Requires board to pay premiums on bond.] To Counties, Cities and Towns.

HB 736 - (Pitt) Introduced by Forbes by request

"Authorizing the creation of the Pitt County-City of Greenville Airport Authority as an agency or instrumentality of the County of Pitt and City of Greenville, and authorizing such authority to maintain and operate an airport for said county and said city." [Creates Pitt County-City of Greenville Airport Authority with powers of authorities as granted by GS Ch. 63 (Aeronautics). Authority to be agent of county and city and both to become participating authority members upon adoption of resolution and appointment of representatives to authority (appointment to be made within 30 days of resolution). Authority to consist of 5-members, two appointed by county and two by city, one of each to serve 2-year term and one of each to serve 4-year term all to begin July 1, 1967; fifth member to be appointed by other four who shall be Pitt county resident and secretary of authority. After initial appointment, each governing body to appoint members for 4-year terms as necessary. In addition to other members each governing body to designate one member to serve as official nonvoting advisor. Authority to prepare annual budget to be delivered to governing bodies who are each authorized to annually appropriate 1/2 of airport cost from revenues derived from operation of airport and other proceeds but not from ad valorem taxes unless approved by voters in county and city. Authority may submit plans for additional land or construction to governing bodies who each are authorized to pay 1/2 cost from funds available, including those from tax levy if approved by voters or from proceeds of bonds. Authorizes county and city severally to issue bonds to pay 1/2 of cost of acquiring real property to be jointly owned for airport or landing field. Ad valorem taxes may be levied to pay principal and interest of obligations if majority of voters in county and city approve; all purposes enumerated to be special purposes. Authority authorized to operate and maintain real and personal property owned by county and city and designated for airport purposes; to control other personal property necessary for operation of airport and to make regulations for operation of airport; to charge fees for use of airport; to lease buildings and hangars thereon; and to grant concessions.

Authority may not pledge credit of county or city nor sell any property owned by either without their approval. Authorizes county and city to acquire property by gift, devise, lease, purchase, or condemnation if approved by respective governing bodies; all such property acquired for airport to be considered for public purpose. Authorizes authority to adopt regulations needed to comply with CAB and FAA safety requirements and in accordance with Model Zoning Act; rules may be enforced by court action as provided in GS 63-35 (enforcement and remedies). Title to property acquired for airport to be vested in governing bodies of county and city as joint tenants; if authority dissolved and property sold, proceeds from liquidation to be distributed in accordance with contributions of city and county. Grants authority exclusive jurisdiction and management over airport and adjoining grounds and power to spend funds appropriated by county and city for airport and to enter into contracts and pledge credit of authority for purposes enumerated by county and city; further empowered to spend funds derived from operation of airport and to deal and contract with CAB, FAA, or their agents in acquiring, grading, constructing, equipping, etc., airport or landing field. Three members to constitute quorum and vote of three necessary for action taken; chairman and treasurer to be selected at first meeting (treasurer to have surety bond paid by authority). Authority members who are not fulltime members of city or county governing bodies to be paid per diem fixed by authority for attending meetings, and all members to be reimbursed for necessary expenses incurred while discharging duties. Authority membership not to be considered public office within meaning of NC Const. Art. XIV, § 7. Declares authority municipal corporation exempt from taxation.] To Counties, Cities and Towns.

HB 737 - (Buncombe) Introduced by Harkins and Greenwood

"To incorporate the Town of Montreat in Buncombe County and to amend the Charter of the Mountain Retreat Association." [Incorporates Town of Montreat, within boundaries spelled out by metes and bounds, and with general municipal corporate powers together with all powers of governmental nature delegated to Mountain Retreat Association or its officers by eight specified acts; withdraws such governmental powers from Retreat Ass'n. Provides for town governing body to consist of three comm'rs, one of whom to be designated as mayor by board; names C. Grier Davis, Ivan B. Stafford and E. A. Andrews, Jr., as initial comm'rs, with Davis as mayor, to serve until successors elected at May 1969 municipal election and qualified; elections to be held on Tuesday after first Monday in May, quadrennially; nominations to be by filing of candidacy procedure, with $5 filing fee, together with petition signed by at least 15 qualified town voters. Prohibits sale of beer, wine or any other beverage containing alcohol within town limits, subject to misdemeanor penalty, punishable by fine or imprisonment in discretion of court. Amends seven cited acts relating to Mountain Retreat Ass'n by adding uniform provision that all governmental powers of Ass'n may henceforth be exercised only by Town of Montreat and not by Ass'n.] To Judiciary 1.

HB 740 - (Caldwell, Rutherford, Vance) Introduced by Harrill

"To amend Chapter 273, Session Laws of 1955, relating to filing and recording of papers by the clerk of superior court and register of deeds in Rutherford and other counties." [Amends provision of cited act to require papers or documents (other than wills) filed for probate or recordation to show signature of draftsman (now, signature or name). Bill does not conform other relevant sections of cited act.] To Courts and Judicial Districts.

HB 741 - (Avery) Introduced by Isaac

"To amend GS 153-8, relating to the days on which meetings of the Board of County Commissioners in Avery County shall be held." [Amends cited section (requiring regular meetings of comm'rs to be held on first Monday of month) to authorize Avery comm'rs to hold regular meetings each month on date determined by board.] To Local Government.

HB 742 - (Avery) Introduced by Isaac

"To amend Article 5, Chapter 115 of the General Statutes, to provide for membership, term and election of the Board of Education of Avery County." [Provides for nonpartisan election of Avery Board of Education on Tuesday after first Monday in March 1969 and every two years thereafter with members elected (two in 1969, three in 1971) to serve 4-year terms. Candidates to file with Avery elections board by noon of sixth Saturday preceding "School Board Election". Candidates not to file as political party members. Avery elections board responsible for providing school board elections as herein provided in accord with, as near as possible, NC general election laws and in nonpartisan manner, and specifically not to exclude independent voters; ties to be decided by vote of incumbent board members; vacancies also filled by remaining board members. In event number of candidates does not exceed number of terms expiring no election necessary and candidates declared elected. Provides for terms of board appointees of 1963 and 1965 to terminate on first Monday in April in 1969 and 1971 respectively. Remaining initial members, appointed by Act to take office on first Monday of first month following ratification of Act are: J. Ray Braswell (to serve until first April Monday 1969) and Bruce Daniels and E. H. Smith (who serve until first April Monday 1971).] To Education.

HB 743 - (Stanly) Introduced by Whitley

"To provide for the election of the County Board of Education in Stanly County." [Provides that Stanly board of education to consist of five members to be elected to 4-year terms; three to be elected in general county election of 1968 and quadrennially thereafter, and two in general county election of 1970 and quadrennially thereafter. Non-partisan primary to be held for nomination to school board only if more than six candidates file for office at times three members are to be elected or more than four at times two members are to be elected. When such a primary held the six or four candidates, as the case may be, receiving highest number of votes shall be nominees to be voted on at general election. Vacancies in membership of board to be filled for unexpired term by appointment by remaining members. Members of board serving at time of ratification of act shall serve until successors elected and qualified.] To Education.

HB 744 - (Northampton) Introduced by Jernigan and Burden, by request

"To make Article 24A of Chapter 153 of the General Statutes relating to assessments for water and sewerage facilities applicable to Northampton County." [Deletes Northampton from list of counties (GS 153-294.19) exempted from GS Ch. 153, Art. 24A (relating to authority for special assessments for water and sewerage facilities).] To Local Government.

HB 745 - (Northampton) Introduced by Jernigan and Burden, by request

"To authorize the Board of Alcoholic Control of Northampton County to expend certain funds for law enforcement." [Amends GS 18-45(15) (authorizing expenditure of 5-10% of quarterly ABC profits for law enforcement purposes) to authorize Northampton ABC Board to spend up to 15% of annual net ABC profits or $12,500, whichever is greater, for ABC law enforcement purposes.] To Local Government.

HB 746 - (Northampton) Introduced by Jernigan and Burden, by request

"To fix the compensation of the Board of County Commissioners of Northampton County." [Fixes compensation of members of board of county commissioners at $900 annually, with chairman receiving $1200, payable in equal monthly installments. Repeals SL 1963, Ch. 926 fixing compensation at $25 (chairman and $20 (numbers) per meeting. Effective July 1, 1967.]

HB 747 - (Northampton) Introduced by Jernigan and Burden, by request
"To amend Chapter 82, Public-Local Laws of 1937 to provide staggered terms for the Board of County Commissioners of Northampton County." [Amends Pub.-Loc. Laws of 1937, Ch. 82 (creating five districts and providing for biennial nomination and election of comm'rs) to provide for staggered terms beginning at 1968 primary and general elections, as follows: comm'rs from Districts Nos. 1 and 2 to serve four years; comm'rs from Districts Nos. 3, 4 and 5 to serve two years. Beginning at 1970 and subsequent biennial elections, elected comm'rs to serve four year terms.] To Local Government.

HB 748 - (Nash) Introduced by Fenner, Barbee and Eagles
"To amend Chapter 96, Session Laws of 1961, relating to expenditure of funds for industrial development in Nash County." [Amends cited Act to increase to $35,000 (now, $25,000) amount of non-tax funds commissioners may appropriate for industrial development in Nash. Repeals SL 1965, Ch. 543 (prior increase).] To Finance.

HB 751 - (Duplin) Introduced by Johnson
"To authorize the governing body of the Town of Wallace to sell certain surplus real property and to repeal Chapter 708 of the 1961 Session Laws." [Authorizes Wallace governing body to sell at best terms and price real property located on West Railroad St. and presently used for library facilities, by public auction after notice deemed appropriate by governing body or by private sale; provides authority to execute sale by deferred payments and to secure payments by first mortgage or deed of trust from purchaser. Repeals cited Act (containing provisions similar to present Act, except applying to any real property owned by Wallace on June 9, 1961).] To Local Government.

HB 752 - (Brunswick) Introduced by Williamson and Collier by request
"To designate the Town of Shallotte in Brunswick County as an additional seat of court for district courts." [Designates Shallotte as an additional seat of court for district courts pursuant to GS Ch. 7A, Subchapter IV, (District Court Division of the General Court of Justice). Makes Act subject to applicable provisions of GS 7A-130 which authorizes district court to sit at places other than the county seat if authorized by the General Assembly and if the chief district judge and the Administrative Officer of the Courts agree that the facilities are adequate.] To Courts and Judicial Districts.

HB 755 - (Richmond) Introduced by Hunter
"To amend G. S. 105-279, so as to allow expeditious revaluation of certain real property in Richmond County affected in value by the relocation of U. S. Highways 220, 1 and 74 in Richmond County." [Adds to GS 105-279(3)d provision requiring Richmond tax supervisor to revalue as soon as practicable to reflect property value decreases in excess of $100 occasioned by relocation of US Highways 220, 1 and 74.] To Local Government.

HB 756 - (Carteret) Introduced by Taylor, Sugg and Godwin
"To amend Chapter 418, Session Laws of 1965, relating to persons disqualified to practice law." [Amends cited statute so as to authorize county commissioners of Carteret to practice law as provided by general law GS 84-2.] To Judiciary 2.

HB 757 - (Carteret) Introduced by Taylor, Sugg and Godwin
"To prohibit parking or leaving motor vehicles unattended on any state highway on Bogue Banks in Carteret County." [Makes it unlawful to leave any motor vehicle parked and unattended on or over any paved portion of any State highway on Bogue Banks in Carteret County and authorizes any law enforcement officer to order such vehicle towed to some suitable place for safekeeping from whence it may be redeemed by owner upon payment of towing charges.] To Judiciary 2.

HB 758 - (Carteret) Introduced by Taylor, Sugg and Godwin
"To provide that the trapping season in Carteret County shall be closed during the open season for the taking of deer, quail, rabbits, and squirrels." [Provides that trapping season in Carteret County "for all animals" closed during time season is open for taking and hunting of deer, quail, rabbits, and squirrels. Violation made misdemeanor.] To Wildlife Resources.

HB 759 - (Pamlico) Introduced by Sugg, Godwin and Taylor
"To authorize the Board of Education of Pamlico County to execute a deed for the Florence White School site to the Florence Camp No. 449 of the Woodmen of the World." [Authorizes cited board to convey by deed to Florence Camp No. 449, Woodmen of the World certain parcel of land previously conveyed, same being Florence White School site. Deed to be in fee simple and not to contain any reverter clause; board may include in deed clause rescinding reverter contained in prior deed.] To Judiciary 1.

HB 760 - (Pitt) Introduced by Rountree
"To amend Chapter 231 of the 1943 Session Laws of North Carolina, relating to the compensation of the governing body of the town of Grimesland in Pitt County." [Amends cited statute to provide that mayor and board of aldermen of Grimesland shall receive up to $10 (now, up to $5) for attending board meetings.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 25 - Highway patrol planes. Reported favorably; placed on calendar for May 3.
SB 63 - Adoption by putative father, as amended in Senate 3/2. Reported unfavorably.
SB 104 - Abortion justification (Senate committee substitute 3/30), as amended in Senate 4/4. Reported favorably; placed on calendar for May 2.
SB 219 - Noncourthouse comm'r meetings, as amended in Senate 4/26. Received from Senate; sent to Local Government.

HB 316 - Militia amendment. Passed second reading.
HB 418 - Dental Board hearing. Reported favorably.
HB 419 - Dental Bd. license revocation. Reported favorably.
HB 420 - Dental hygienist fees. Reported favorably.
HB 446 - Const. change: legislator pay. Passed second and third readings.
HB 471 - Senate & House districts. Postponed to May 2.
HB 501 - Exec. Mansion Fine Arts Comm. Reported favorably.
HB 505 - Fiduciary's allocating expense. Reported favorably.
HB 512 - Adoption of blood relatives. Reported favorably.
HB 528 - Commission on women. Reported favorably.
HB 544 - Realty broker licenses. Reported favorably.
HB 574 - General Assembly compensation. Reported favorably.
HB 587 - Bang's disease. Reported favorably.
HR 590 - (Joint Resolution) Jail Study Commission. Withdrawn from State Government; re-referred to Penal Institutions.
HB 616 - Charitable immunity no defense. Postponed to May 2.

HB 639 - Farm commodity tax assessment. Postponed to May 2.
HB 654 - Ambulances not for-hire. Reported favorably.

LOCAL BILLS

SB 197 - (Cleveland) Kings Mtn. beer-ABC vote (Senate committee substitute 4/24). Passed.
SB 217 - (Orange) Hillsborough, Mebane zoning. Passed.
SB 232 - (Wilkes) School board conveyance. Technical floor amendment adopted. Passed.
SB 246 - (Robeson) Lumberton Sunday pool. Passed.
SB 261 - (Robeson) Election board reimbursement. Passed.
SB 263 - (Robeson) School board salaries. Passed.
HB 115 - (Alamance) Elon College beer sale, as amended in Senate 4/4. Concurred in Senate committee substitute.
HB 220 - (Rutherford) Commissioners' compensation. Passed.
HB 221 - (Rutherford) Officials' salaries. Passed.
HB 381 - (Columbus) Board education pay. Passed.
HB 433 - (Polk) Tryon school unit. Passed.
HB 443 - (Guilford) Gibsonville: pay light bill. Amended to add proviso that ten day late charge becomes lien only when owner of property is in actual possession at time service was rendered. Passed.
HB 453 - (Mecklenburg) Charlotte contract limits. Passed.
HB 474 - (Carteret) Emerald Isle powers restricted. Passed.
HB 475 - (Guilford) Board of education elections. Passed.
HB 476 - (Hyde) Officials' compensation. Passed.
HB 478 - (Vance) Consolidated school board. Passed.
HB 495 - (Franklin) Industrial Comm'n per diem. Passed.
HB 502 - (Davie) Watershed condemnations. Passed.
HB 514 - (Surry) Mt. Airy firemen pension. Passed.
HB 517 - (Hertford) Murfreesboro historic district. Passed.
HB 535 - (Wilkes) School board compensation. Passed.
HB 549 - (Macon) Trash disposal. Passed.
HB 552 - (Mecklenburg) Law-enforcement disability benefits. Passed.
HB 555 - (Franklin) Commissioners' election. Passed.
HB 571 - (Bladen) Register of deeds. Passed.
HB 572 - (Beaufort) School district Comm. No. 3. Passed.
HB 575 - (Moore, Lee) Cameron fire district. Reported favorably as to committee substitute. Committee substitute adopted setting out district boundaries by metes and bounds identical to those in bill as introduced by adding general language relating to surrounding areas adjacent to Town of Cameron.
HB 581 - (Yadkin) Jonesville elections. Passed.
HB 586 - (Anson) Outside water service. Passed.
HB 588 - (Richmond) Ellerbe commissioners. Passed.
HB 595 - (Catawba) Maiden Plan-D election. Passed.
HB 598 - (Johnston) Princeton corporate limits. Passed third reading.
HB 606 - (Cabarrus) Township 4 parking regulations. Passed.
HB 607 - (Guilford) Local development funds. Passed.
HB 610 - (Avery) Commissioners' increase. Passed.
HB 611 - (Avery) Publishing budget estimates. Passed.
HB 612 - (Dare) ABC enforcement. Passed.
HB 613 - (Dare) School property lease. Passed.
HB 614 - (Dare) School property conveyance. Passed.
HB 617 - (Wake) Raleigh privilege ordinances. Passed.

HB 623 - (Macon) Sheriff's travel allowance. Passed.
HB 630 - (Forsyth) Water and sewer assessments. Passed third reading.
HB 636 - (Alamance) School superintendent term. Passed.
HB 637 - (Greene) Tax liens. Passed.
HB 638 - (Greene) Sheriff, tax collector comp. Passed.
HB 644 - (Caldwell) Hudson officials. Passed.

The unnumbered House Resolution, relating to Railroad Companies, digested on page 285 was reported favorably as amended. (Bulletin No. 36)

Next session of House: 9:00 a.m., Friday, April 28, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 58

Friday, April 28, 1967

Session: Senate --9:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 324 - Introduced by Bagnal, and others

"To amend Article 1, Chapter 116 of the General Statutes of North Carolina to provide for the election of the trustees of the Consolidated University of North Carolina, and trustees of the separate campuses of the University." [Rewrites GS 116-4 to provide for separate board of trustees for each branch of Consolidated University -- The University of NC at Chapel Hill, Charlotte, and Greensboro, and NC State University at Raleigh. Each board to consist of 9-members, at least four of whom must have attended campus of board for which he is to be appointed by General Assembly for staggered 6-year terms (now, one board for all four campuses composed of 100 members elected by General Assembly for staggered 8-year term). General Assembly to appoint in 1967 two trustees for 2-year term, two trustees for 4-year term, and two trustees for 6-year term for each board of trustees; in 1969 and biennially thereafter, Assembly to appoint trustees necessary to replace those whose terms have expired, for 6-year terms. Chancellor of each campus to serve ex-officio and to be presiding officer of board. Trustee terms to begin on July 1 in year appointed. Rewrites GS 116-5 (makes ex-governors honorary members of present board) to provide for board of trustees of The Consolidated University, to consist of 2 members selected by and from boards of each campus for 2-year term beginning July 1, 1967 and biennially thereafter. No trustee of Consolidated Board to be eligible to succeed himself until 2 years have elapsed since last term and President of Consolidated University to serve ex-officio and to be presiding officer of board. Amends GS 116-6 to change "65" to "two-thirds", as number of trustees required to be present at board meeting to remove trustee for improper conduct. Amends GS 116-7 (filling vacancies in board) by adding that vacancies on Consolidated Board to be filled by boards of separate campuses whose member caused vacancy. Amends GS 116-8 (sets out mechanics of board organization) to make quorum two-thirds of members (now 51) and to make section apply to trustee boards of each campus and Consolidated Board. Amends GS 116-9 to substitute "President or Chancellor" for "Governor" as presiding officer of trustee board. Repeals GS 116-11 providing for present executive committee of board.] To University Trustees.

SB 328 - Introduced by Ellis and others

"To increase the compensation of the court reporte for the Fourth Judicial District." [Amends GS 7-92.2 to set compensation of reporter and reporter pro tem of 4th Judicial District at such amount set by resident judge but not to exceed $150 per week (now, $125) and in addition, when engaged in duties prescribed by resident judge, a per diem allowance of up to $12 (now, $10) for expenses incurred away from county of residence, and an allowance of 8¢ (now, 10¢) per mile to and from residence and courts in said district.] To Courts and Judicial Districts.

SB 330 - Introduced by Burney

"Amending Chapter 58 of the General Statutes of North Carolina, so as to provide that agents and companies rejecting extended coverage insurance to certain property located along the coastal area of North Carolina must report such rejection of extended coverage to the North Carolina Commissioner of Inusrance and to the applicant for such insurance, and to further provide that the North Carolina Commissioner of Insurance may, after hearing, suspend, revoke the license or otherwise penalize any insurer doing business in this State for their refusal without good cause to insure such properties." [Adds new Art. 18A to GS 58, providing as follows: (1) Defines "beach area" (BA) as all localities of State, south and east of Inland Waterway from South Carolina line to Fort Macon (Beaufort Inlet), plus Outer Banks to Va. line; and "seacoast territory (Zone 1)" (ST) as area consisting of counties of Beaufort, Brunswick, Camden, Carteret, Chowan, Craven, Currituck, Dare, Hyde, Jones, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell and Washington. (2)Requires every licensed insurer writing fire and extended coverage insurance in State upon its cancellation or refusal to write or renew any such policy on property in BA to furnish within 20 days a report to NC Commissioner of Insurance and applicant on request, containing specified information including reason for refusal to issue or sustain such policy; report privileged and not to constitute grounds for cause of action against any party who in good faith furnishes to insured the information upon which reasons based. (3) Requirers insurer on January 15th, and quarterly thereafter, to file with Commissioner a specified statement including information on amount of fire and extended coverage insurance written on property in BA. (4) Requires insurer, except town or county mutual insurance association authorized by GS 58-77(5)d, to have licensed agent in BA or ST for purpose of writing fire and extended coverage insurance in such area. (5) Requires agent of insurer, upon refusal to accept application for fire and extended coverage on property in BA, to make report to Commissioner or insurance company, containing specified information including reason for refusal; report privileged and not constitute grounds for any cause of action against agent who in good faith furnished to applicant the information upon which reasons are based. (6) Authorizes Commissioner after specified notice and hearing, to revoke or suspend licenses of insurer who systematically makes a practice of refusing to insure property within BA found by Commissioner to be insurable according to standards prevailing throughout insurance industry for similar property. Commissioner may in addition or in lieu, upon finding insurer willfully refused to insure in BA, impose a civil penalty on insurer of not exceeding $5,000. Any company aggrieved by any order or decision of Commissioner with respect to these proceedings may seek review in Superior Court of Wake County with further appeal to Appellate Court. (7) Act not applicable to policy of fire or extended coverage insurance already in existence in BA but shall be applicable to policies renewable after ratification of act.] To Insurance.

SB 335 - Introduced by Boger and Griffin

"To appropriate funds for the protection of the Dr. Francis J. Kron Home Site Restoration at Morrow Mountain State Park." [Appropriates to Department of Conservation and Development from State general fund, $9,000 for erection of fence around Kron Home Site Restoration.] To Appropriations

LOCAL BILLS INTRODUCED -- SENATE

SB 325 - (Henderson) Introduced by Buchanan

"To amend Chapter 954, Session laws of 1955, relating to liquor stores in the City of Hendersonville." [Amends Sec. 4 of cited chapter to provide that "governing body of City of Hendersonville" (now, board of elections) to perform various duties in setting up a board of alcoholic beverage control if such authorized under the act. Provides that members of ABC board appointed by governing board shall take office July 1, 1968] To propositions and Grievances.

SB 326 - (Polk) Introduced by Buchanan

"To Amend Chapter 210 of the Session Laws of 1957 relating to the compensation of the members of the Polk County Board of Education." [Amends cited chapter (amending GS 115-129 to fix Polk school board salaries) to provide that Chairman and other members of board to be paidno salary, but chairman shall be paid travel expenses of $45 monthly and other members to be paid travel expenses of $40 monthly (now, salary to chairman of $25 monthly and to other members of $20 monthly.) Retroactive to April 1, 1967.] To Salaries and Fees.

SB 327 -(Polk) Introduced by Buchanan

"Relating to the election of the town councilmen of the Town of Columbus in Polk County." [Provides that three councilmen shall be elected at regular municipal election of members of Town Council of Columbus. Councilman receiving most votes to serve 4-year term, and other two to serve 2-year terms. At regular municipal election in 1971 and in all municipal elections thereafter, two councilmen to be elected with one receiving most voters to serve 4-year term and other to serve 2-year term.] To Election Laws and Legislative Representation.

SB 329 - (Brunswick, New Hanover) Introduced by Burney

"Relating to the title to the land to be built up and constructed as a result of certain erosion control work, in the several municipalities and counties of North Carolina bounded in part by the Atlantic Ocean." [Provides for ownership of (title to) new lands constructed by virtue of erosion control work reclaiming land from Atlantic Ocean within Brunswick and New Hanover Counties and certain municipalities therein. Prior to commencing reclaim of land counties and/or municipalities to make survey and determine "building line" which shall run full length of beach in said counties. Immediately after building line fixed, counties and/or municipalities, separately or jointly, to have map prepared and recorded and appropriately indexed with register of deeds of county wherein land lies; map conclusive with respect to determining building line; any land owner or claimant affected by Act not suing or filing claim with county within six months of recordation of building line map conclusively presumed to have acquiesced in terms and conditions of Act and precluded from future assertion of claim based on title or interest settled by location of building line. Provides that all land constructed to be within county and/or municipal corporate limits bounded in whole or part by Ocean; all land inland of building line granted in fee simple to abutting land owner to extent his land abuts thereon; all land on seaward side of building line granted in fee simple to respective counties and/or municipalities. Prohibits any building on lands made or constructed on seaward side of building line and requires that such seaward land be open at all times for purpose of public roadways and further development as public square or park in determination of governing authorities of municipalities or counties or both wherein land located. In event county and/or municipality ceases to use property in accordance with Act, property to revert to State. Provides that owners of property abutting on reclaimed land, in front of their said property, to possess and keep their rights as if littoral owners in waters of Ocean, bordering on newly acquired or constructed land. Specifies that terms "project projection line" (as defined GS Ch. 104B, Art. 3) and "building line" (as used SL 1939, Ch. 246 and SL 1963, Ch. 511) are interchangeable and that above Session Laws not repealed. Authorizes municipalities and counties affected to make and enforce, jointly or separately, regulations to enforce Act. Act to apply to Brunswick and municipalities located therein and New Hanover and Town of Kure Beach.] To Judiciary 1.

SB 331 - (McDowell) Introduced by Norton

"To amend GS 43-30, relating to requirements for recordation of land maps in McDowell County." [Removes McDowell from counties subject to Uniform

Map Law (mapping requirements for plats and subdivisions) and provides that uniform system for recording maps and plats in the county shall be as provided in Chapter 424, Pub.-Loc. Laws 1925 (McDowell recording system).] To Counties, Cities and Towns.

SB 332 - (Mitchell) Introduced by Dent

"Authorizing the City Council of the Town of Spruce Pine to fix the compensation of its members and the mayor of the town." [As title indicates; mayor's salary not to exceed $100 monthly and council members' salaries not to exceed $50 monthly.] To Salaries and fees.

SB 333 (Chatham) Introduced by Morgan

"To authorize the qualified voters of the Town of Pittsboro to determine whether wine and beer may be legally sold and alcoholic beverage control stores operated in the Town of Pittsboro." [Provides that Pittsboro governing body may call election to be held on date it determines, cost to be paid from general fund of town, on questions indicated in title. New registration of voters for election not necessary; all qualified voters registered prior to registration for this election and all those who register for this election shall be entitled to vote in election. Election to be held in same manner as general election for Pittsboro except otherwise provided. Provides form of ballot for beer and wine question. If Majority of votes favor beer and/or wine sale, governing body to issue licenses to sell same, no license to be issued for on-premises consumption. Makes it a misdemeanor punishable in discretion of court to sell refrigerated beer or wine or to sell containers of beer in quantities other than a multiple of six unless the containers are of one gallon or more (conviction or nolo contendere plea to such offense shall subject violator to such suspension or revocation of license as might be imposed by State ABC board.)

Provides for submission to voters of question of operation of municipal ABC stores, if special beer-wine election is called, on prescribed ballots; if vote favors stores, governing body to create and appoint 3-member city ABC board to serve 3-year staggered terms; chairman of initial board to serve three years, and other two members to serve two and one years, as designated; per diem and subsistence allowances to be fixed by governing body. ABC board shall have powers and duties imposed by GS 18-45 (powers and duties of county boards) and subject to powers of State Board of Alcoholic Beverage Control under GS 18-39, except GS 18-39(10) (opening and location of county stores); also, Ch. 18, Art. 3 to apply (ABC Act of 1937). Provides that Pittsboro ABC board shall distribute quarterly from net profit remaining after payment of salaries, costs, and operating expenses and after retaining sufficient working capital, remaining profit determined by quarterly audit, as follows: 5% to town general fund for law enforcement; 60% to town general fund (10% for debt retirement, or, when no debt, for any purpose for which tax and nontax revenues may be used; 10% for library, recreational or any other similar purposes; remainder for any purposes for which tax and nontax revenues may be used); 30% to Chatham County general fund for education or other public purpose; 5% to general fund of Chatham County for law enforcement. If subsequent election is held and voters are against ABC stores, ABC board shall be closed immediately and ABC board to dispose of all alcoholic beverages, fixtures, and property in their control, converting same into cash and turning cash over to town treasurer. Provides that no election shall be held under act within three years of previous election. Identical to HB 791
To Propositions and Grievances.

SB 334 - (Gaston) Introduced by Rauch

"To provide for the nomination and election of the members of the Board of Education of Gaston County." [Provides for division of county into six districts for purposes of nomination and election of members of county board of education; said districts, 1 through 6 respectively, are Townships of:

Riverbend, Southport, Dallas, Gastonia, Cherryville and Crowders Mountain. Provides that within 60 days of Act's effective date county board of elections to hold nonpartisan election for purpose of nominating one member of county education board from each of (above) township districts. Any resident elector of districts eligible for nomination by filing notice of candidacy, with $5 filing fee. If, in any township district no eligible elector files, board of commissioners to appoint district candidate. Nomination election to be at large and person receiving majority of votes in district nominated, but if no person receives district majority then second high vote getter may, within 10 days, notify county elections board of desire for run off; elections board to comply with request. Where only one candidate in district files for nomination, election not required. After nominees determined, final nonpartisan, at-large election to be held and three nominees receiving highest vote, elected to 4-year terms and three receiving next high votes elected to 2-year terms; thereafter three members elected biennially for 4-year terms. Provides that board terms, including initial terms, commence first Monday of month next following election; vacancy for reasons other than expiration of term filled for unexpired term by a resident of district providing vacancy to be selected by county board of commissioners. Board of Education to appoint local school committees or advisory councils in accordance with GS Ch. 115 except as modified by Act. Education board member from each district to appoint local school committee or advisory council for special taxing areas of district, subject to full Board approval; should taxing districts overlap then affected Board members to appoint jointly for those districts. Board to appoint county school superintendent annually to serve at board's pleasure. Board members to be reimbursed for actual expenses by county schools treasurer. In event that Gaston public schools later are consolidated, Act no longer effective.] To Education.

SB 336 - (Pitt) Introduced by Allsbrook and Bridges

"To authorize the county and city boards of education of Pitt County to condemn as much as fifty acres of land as sites for school houses or other school facilities." [Modifies GS 115-125 (acquisition of school sites) to provide that in Pitt County, county or city boards of education, upon making determination that more than 30 acres will be required for suitable and adequate sites for school houses or other school facilities, may acquire by condemnation not more than fifty acres for any one site for such a facility.] To Judiciary 1.

SB 337 - (Pitt) Introduced by Allsbrook and Bridgers

"To increase the number of county commissioners of Pitt County from five to six." [Removes Pitt from list of counties in GS 153-5 with five county commissioners. Amends SL 1955, Ch. 250, to provide that there shall be two commissioners from District One (now, one). Provides that additional commissioner to be elected from District One (Greenville Township) at 1968 general election and quadrennially thereafter and shall serve for 4-year term; in all other respects to be nominated and elected in same manner as other Commissioner from District One.] To Judiciary 1

SB 338 - (Catawba) Introduced by Shuford

"To amend certain sections of the Charter of the City of Hickory as contained in Chapter 323, Session Laws of 1961." [Amends Hickory Charter to provide for election of council members at large (now, by wards) in biennial elections beginning 1968 (now annual) for 4-year terms (now two years); mayor and council members elected from 4th, 5th and 6th wards in 1967 to be elected for interim 3-year terms. Eliminates provision that compensation of election registrars shall not exceed that of registrars for General Assembly elections.

Provides for opening of registration books at 9:00 a.m. on 4th Saturday before election. Adds provision for $25 filing fee for candidates for city office. Provides for mayor and councilmen to receive $1,200 annual salaries (now maximum $600). Requires traffic control officer to notify council of intent to designate location of traffic control devices at least two days before regular council meeting. Deletes Chapter VII of Charter, relating to municipal court. Effective on ratification, except for provision for elections at large (effective Jan. 1, 1970).] To Counties, Cities and Towns.

SB 339 - (Cumberland) Introduced by Henley and McGeachy

"To amend Article 20B of Chapter 153 of the General Statutes, relating to zoning, so as to make it applicable to Cumberland County. [Amends GS 153-266.22 (counties excepted from article) to remove Cumberland from list of those counties exempted from cited article (county zoning and regulation of buildings).] To Counties, Cities and Towns.

SB 340 - (Craven) Introduced by Whitehurst

"Providing for the nomination and election of members of the Board of Education of Craven County, and to fix their terms of office." [Provides that Board of Education of Craven County shall consist of eight members, candidates to be nominated from eight districts as follows: I-Jasper, Tuscorora, and Clarks precincts; II-Dover and Cove City precincts; III-Fort Barnwell precinct; IV-Vanceboro, Ernul, Maple, and Cypress precincts; V-Bridgeton and Truitt precincts; VI-Grantham precinct; VII-Havelock, Bachelor, and Croatan precincts; VIII-First, Second, Third, Fourth, Tisdale, Berne, and Rhems precincts. Candidate of each political party receiving most votes of qualified voters of his district is nominee of his party and his name shall appear on ballot for general election. In county general election of 1968 and biennially thereafter qualified voters of entire County shall elect one member of Craven County Board Education from each of eight districts, with candidate of each receiving highest number of votes to be elected for term of two years. Candidates elected to board shall qualify and take office on first Monday of December of year in which elected. Vacancies in board shall be filled by county executive committee of political party of member causing vacancy. Chairman of board shall preside at meetings but shall have no vote except in case of tie. In absence of chairman, board may appoint one of its members to act as vice chairman and to exercise duties of chairman. Present members of board to hold office until first Monday in Dec., 1968. Craven County Board of Elections shall hold and conduct primary and general election in accordance with provision of GS Ch. 163 (elections and election laws).] To Education.

SB 341 - Introduced by Briggs

"To make G. S. 105-423.1 applicable to Madison County." [Adds Madison County to those covered by GS 105-423.1 (barring action by county or municipality for collection of taxes or enforcement of tax liens unless action instituted within 10 years of due date.).] To Counties, Cities and Towns.

SB 342 - (Madison) Introduced by Briggs

"To make the provisions of Chapter 105 of the General Statutes applicable to Madison County with regard to the valuation or revaluation of real and personal property." [Repeals Ch. 59, SL 1963 (Madison County tax equalization board) and provides that valuation or revaluation of real and personal property for ad valorem property taxation in Madison County shall be subject to provision of GS Ch. 105 (taxation). Effective January 1, 1968.] To Counties, Cities and Towns.

SB 343 - (Robeson) Introduced by MacLean
"Authorizing the right to petition for municipal liquor control stores in incorporated municipalities in Robeson County, establishment of same upon an affirmative vote of the people, and providing for the allocation of net proceeds from the operation thereof." [Identical with HB 801, digested in the House section of today's bulletin.] To Propositions and Grievances.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 83 - Teachers summer expenses. Passed second and third readings.
SB 126 - Bakery license tax. Passed second and third readings.
SB 146 - Drugged driving prohibition. Reported favorably as amended; placed on calendar for 5/2.
SB 155 - Chain store tax exemption. Passed second and third readings.
SB 163 - County welfare fund transfers. Amended to limit application of bill to county appropriations (originally state and county). Passed second reading.
SB 198 - Savings and loan shares. Reported favorably.
SB 238 - Exec. Mansion Fine Arts Comm'n. Passed second and third readings.
SB 252 - Commission on women. Passed second and third readings.
SB 262 - School damage rewards. Passed second and third readings.

HB 150 - Onslow tech. Passed second reading.
HB 268 - Chiropractic amendments. Amended to make technical change. Passed second and third readings.
HB 290 - Drivers license surrender, as amended in House 3/24 and 3/28. Amended to delete provision that licenses surrendered to Dept. of Motor Vehicles under act shall be returned to licensee at end of revocation or suspension and to delete provision that wilfull violation of terms "of this section" shall be misdemeanor. Passed second and third readings.
HB 346 - Real estate license amendment. Passed second reading; postponed to 5/1.
HB 354 - Farm clearing tax deduction. Passed second and third readings.
HB 383 - Corp. franchise tax changes. Postponed to 5/3.
HB 440 - A. G. men covered. Passed second and third readings.
HB 446 - Const. change: legislator pay. Received from House; sent to Constitution.

LOCAL BILLS

SB 204 - (Transylvania) Brevard ABC elections. Postponed to 5/1.
SB 232 - (Wilkes) School board conveyance. Received for concurrence in House amendment; concurred.
SB 299 - (Onslow) Property tax refunds. Passed second and third readings.

HB 220 - (Rutherford) Commissioners' compensation. Received from House; sent to Salaries and Fees.
HB 221 - (Rutherford) Officials' salaries. Received from House; sent to Salaries and Fees.
HB 252 - (Bladen) Elected board of education. Passed.
HB 381 - (Columbus) Board education pay. Received from House; sent to Salaries and Fees.
HB 433 - (Polk) Tryon school unit. Received from House; sent to Education.
HB 443 - (Guilford) Gibsonville: pay light bill. Received from House; sent to Counties, Cities and Towns.
HB 453 - (Mecklenburg) Charlotte contract limits. Received from House; sent to Counties, Cities and Towns.

HB 455 - (Anson) Consolidated county schools, as amended in House 4/13. Passed.
HB 474 - (Carteret) Emerald Isle powers restricted. Received from House; sent to Counties, Cities and Towns.
HB 475 - (Guilford) Board of education elections. Received from House; sent to Education.
HB 476 - (Hyde) Officials' compensation. Received from House; sent to Salaries and Fees.
HB 478 - (Vance) Consolidated school board. Received from House; passed.
HB 495 - (Franklin) Industrial comm'n per diem. Received from House; sent to Salaries and Fees.
HB 502 - (Davie) Watershed condemnations. Received from House; sent to Counties, Cities and Towns.
HB 514 - (Surry) Mt. Airy firemen pension. Received from House; sent to Counties, Cities and Towns.
HB 517 - (Hertford) Murfreesboro historic district. Received from House; sent to Counties, Cities and Towns.
HB 535 - (Wilkes) School board compensation. Received from House; sent to Education.
HB 549 - (Macon) Trash disposal. Received from House; sent to Counties, Cities and Towns.
HB 552 - (Mecklenburg) Law-officer disability benefit. Received from House; sent to Counties, Cities and Towns.
HB 555 - (Franklin) Commissioners' election. Received from House; sent to Counties, Cities and Towns.
HB 571 - (Bladen) Register of deeds. Received from House; sent to Counties, Cities and Towns.
HB 572 - (Beaufort) School district comm. No. 3. Received from House; sent to Education.
HB 581 - (Yadkin) Jonesville elections. Received from House; sent to Counties, Cities and Towns.
HB 586 - (Anson) Outside water service. Received from House; sent to Counties, Cities and Towns.
HB 588 - (Richmond) Ellerbe commissioners. Received from House; sent to Counties, Cities and Towns.
HB 595 - (Catawba) Maiden Plan-D election. Received from House; sent to Counties, Cities and Towns.
HB 598 - (Johnston) Princeton corporate limits. Received from House; sent to Counties, Cities and Towns.
HB 606 - (Cabarrus) Township 4 parking regulations. Received from House; sent to Counties, Cities and Towns.
HB 607 - (Guilford) Local development funds. Received from House; sent to Counties, Cities and Towns.
HB 610 - (Avery) Commissioners increase. Received from House; sent to Counties, Cities and Towns.
HB 611 - (Avery) Publishing budget estimates. Received from House; sent to Counties, Cities and Towns.
HB 612 - (Dare) ABC enforcement. Received from House; sent to Counties, Cities and Towns.
HB 613 - (Dare) School property lease. Received from House; sent to Education.
HB 614 - (Dare) School property conveyance. Received from House; sent to Education.
HB 617 - (Wake) Raleigh privilege ordinances. Received from House; sent to Counties, Cities and Towns.
HB 623 - (Macon) Sheriff's travel allowance. Received from House; sent to Counties, Cities and Towns.

HB 636 - (Alamance) School superintendent term. Received from House; sent to Education.
HB 637 - (Greene) Tax liens. Received from House; sent to Counties, Cities and Towns.
HB 638 - (Greene) Sheriff, tax collector comp. Received from House; sent to Salaries and Fees.
HB 644 - (Caldwell) Hudson officials. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 197 - (Cleveland) Kings Mtn. beer-ABC vote (Senate committee substitute 4/24). [Ch. 245]
SB 217 - (Orange) Hillsborough, Mebane zoning. [Ch. 246]
SB 246 - (Robeson) Lumberton Sunday pool. [Ch. 247]
SB 261 - (Robeson) Election board reimbursement. [Ch. 248]
SB 263 - (Robeson) School board salaries. [Ch. 249]

HB 115 - (Alamance) Elon College beer sale (Senate committee substitute 4/4). [Ch. 250]
HB 413 - (New Hanover) Wilmington retirement. [Ch. 251]
HB 414 - (New Hanover) Wilmington pension trustees. [Ch. 252]
HB 415 - (New Hanover) Charter revisions. [Ch. 253]
HB 483 - (Richmond) Specifying approval dates. [Ch. 254]
HB 534 - (Pasquotank) Conveyance to Museum. [Ch. 255]
HB 547 - (Brunswick) Public drunkenness. [Ch. 256]

Next sessions of Senate: 9:00 a.m., Saturday, April 29, 1967, for consideration of local bills only.

3:00 p.m., Monday, May 1, 1967.

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BULLETIN NO. 58
Friday, April 28, 1967

Session: House -- 9:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 768 - Introduced by O'Hanlon

"To amend Article 4C, Chapter 106 of the General Statutes relating to structural pest control, and to appropriate matching State funds in order to carry out the provisions of said act." [Appropriates from General Fund to NC Dep't of Agriculture $20,000 for each year of 1967-69 biennium for employment of additional structural pest control inspectors; amount obligated by Agriculture Dep't not to exceed difference in total receipts of Structural Pest Control Commission for fiscal years 1966-67 and 1967-68. Generally revises Structural Pest Control Act GS Ch 106, Art. 4C as follows: Rewrites definition of "licensee" to mean business entity engaged in structural pest control (now, applies to person in charge of business entity); "branch office" redefined to make certified pest control operator prerequisite to "branch office" status. Adds definition of "certified pest control operator" (defined by later text); "attractants" defined as being nonfumigated substances generally attracting pests regardless of possibly lesser toxic capacities with respect to pests. Amends GS 106-65.25(a) to require license of individual or business entity to engage in (now engage in or supervise) any phase of structural pest control without Structural Pest Control Commission (SPCC) license. Rewrites GS 106-65.26 (now, relating to license applicants' qualifications) to make financial responsibility prerequisite to obtaining SPCC license; license not to issue to person representing structural pest control entity absent showing of insurance, or SPCC approved form of policy, covering property or personal injury as result of structural pest control operations, with $10,000 and 20,000 limits for one loss and all losses, respectively. Policy to include provision for giving SPCC 90 days notice prior to cancellation or change of coverage. $5,000 cash bond or assigned, acceptable pass book may be substituted in lieu of insurance. Rewrites GS 106-65.27 to provide that certified pest control operator must be experienced (two years or equivalent) or have college degree and course work related to pest control and supervised experience. Applicant must pass SPCC exam, given at least twice annually, at SPCC determined intervals, in each of the three phases of structural pest control for which certification sought; and applicant to pay SPCC $25 exam (or reexam) fee for each phase. Rewrites GS 106-65.28 (relating to revocation of SPCC licenses) to add failure to maintain financial responsibility to causes for which license may be revoked and to add similar list of causes for which certified pest control operator's certification may be revoked (misrepresentations and failure to give information to SPCC). Rewrites GS 106-65.31 to increase annual SPCC license to $100 (now, $50) and $50 (now, $25) for SPCC licensing in either of other phases. Provides that license holder register with Agriculture Comm'r all certified pest control operators and other employees within 90 days of employment and licensee to pay initial and annual renewal fees of $2, $3 and $4 for each certified pest control operator certified in one, two, or three phases of structural pest control, respectively, and $1 for each additional employee. Provides for identification cards to be issued to, and carried by, certified pest control operators and such identification cards not transferable from employment with one licensee to another. Conforms GS 106-65.32 (relating to procedings and hearings under Article) to new license and certification provisions. Rewrites GS 106-65.35 to provide for certification without examination as pest control operator persons who, prior to July 1, 1968 were licensed by SPCC and actively engaged for six preceding months in structural pest control, and allows exception to former armed forces member meeting similar standards and applying within six months after service termination.

(Section now provides grandfather clauses for licensees.). Effective July 1, 1968.] To Appropriations.

HB 771 - Introduced by Forbes

"To require county and municipal ABC boards to purchase and sell one-half pints of alcoholic beverages." [Adds to GS 18-45(2) requirement that county and municipal ABC boards offer for sale one-half pints of each of its largest selling brands of alcoholic beverages.] To Propositions and Grievances.

HB 775 - Introduced by Britt of Johnston and others

"To amend GS 7-92.1 with regard to the compensation of the court reporter for the eleventh judicial district." [Amends GS 7-92.1 to set compensation of reporter and reporter pro tem of 11th Judicial District at amount set by resident judge not to exceed $150 per week (now $25 per day) and actual expenses upon a weekly basis, to be paid by county for which court is calendared.] To Courts and Judicial Districts.

HB 789 - Introduced by Hamrick and Bailey

"To rewrite G.S. 146-24(c) to authorize the Department of Administration to acquire land by condemnation in the manner described by Article 9 of Chapter 136 of the General Statutes of North Carolina." [Rewrites GS 146-24(c) to provide that when Dept. of Administration is authorized by Governor and Council of State to exercise right of eminent domain to acquire land for State agencies it may condemn in manner provided for State Highway Commission by GS 136, Art. 9 (now, by manner provided in GS Ch. 40). Act shall not apply to pending litigation.] To Judiciary 1.

HB 795 - Introduced by Taylor of Carteret and others

"To appropriate funds to the Beaufort Historical Association for the purchase and restoration of historic sites and other purposes." [Appropriates $20,000 to Beaufort Historical Association for purchase and development of historic sites and properties in Town of Beaufort; for development of reconstructed port and fishing village area; and for establishment and development of expanded whaling museum. Effective July 1, 1967.] To Appropriations.

HB 796 - Introduced by Britt of Johnston

"To rewrite Chapter 143, Article 8, General Statutes of North Carolina." [Generally revises public building contracts law, making material changes in various sections as follows: GS 143-128. Makes section,which requires separate specifications for certain subcontracts on public building contracts costing over $20,000, applicable to subcontracts for heating, ventilating &/or air conditioning and accessories separately or combined into one conductive system (now, "heating and ventilating and accessories"); for plumbing and gas fittings and accessories, and electrical installations (unchanged); and for refrigeration for cold storage where cooling load is 15 tons or more (now, "air conditioning for the purpose of comfort cooling by the lowering of temperature, and accessories"). Deletes proviso permitting combined bid for certain heating-ventilating and air conditioning with same duct work or as parts of same contract. Provides that when estimated cost in single subdivision is less than $2,500 (now $1,000) it may be included in another contract. Amends "separate contractor" definition to include contractor for construction or alteration of any part of a building (now, only refers to whole buildings). GS 143-129. Increases to $7,500 (now $3,500) minimum construction or repair contract subject to advertising and bidding procedures of this section. Amends 6th paragraph to: make clear that awards may be made to more than one responsible bidder; limits recommendations of Dep't of Administration on negotiating a contract with lowest responsible bidder (in cases where all responsible bids exceed available funds) to State contracts, and provides that

such recommendations shall be made by the responsible local board, commission or council in cases of local contracts; adds authorization for reasonable changes in plans and specifications to bring contract within funds available. Provides that owning agency or Dep't of Administration (now, Budget Bureau) in State contracts may reject surety bonds where unsettled claims are pending against surety company. Exempts contracts for supplies or equipment with federal agencies from all sections of article (now, exempted from GS 143-129 and 143-131.) GS 143-132. Makes requirements of section (minimum number of bids for construction and repair contracts) applicable to construction and repair contracts without amount limit (now applies to such contracts where estimated cost exceeds $20,000). GS 143-135. Limits application of provisions of article on building and repair contracts to contracts where total cost exceeds $25,000 (now $15,000) and work is performed by or through elected officers or agents "using force account qualified labor on the permanent payroll of the agency concerned; provided, that such force account work shall be subject to the approval of the Director of the Department of Administration in the case of State agencies, or approval of the responsible commission, council or board in the case of subdivisions of the State." (Adds quoted language). GS 143-135.1. Substitutes Dep't of Administration for Budget Bureau as approving agency for State buildings (exempted from local building codes and inspection by section).] To Judiciary 2.

HB 797 - Introduced by Ragsdale and others

"To appropriate the sum of twelve thousand ($12,000.00) dollars for the purchase of land at Moores Creek National Military Park in Pender County, North Carolina." [Appropriates from General Fund to Dep't of Administration $12,000to purchase approximately 18 acres on eastern and western boundaries of Moores Creek Nat'l Military Park. Directs Dep't to purchase lands with approval of Governor and Council of State and in the name of the State. If negotiations unsuccessful or good title not obtainable, Dep't may with approval of Governor and Council exercise eminent domain rights and acquire land by condemnation as prescribed by GS Ch. 136, Art. 9 "Condemnation".] To Appropriations.

HB 800 - Introduced by Kaiser and others

"To appropriate to the State Board of Education certain funds for the use of Robeson County Extension Unit of the North Carolina system of Community Colleges." [Appropriates from General Fund to State Bd. of Education for 1967-68 fiscal year $18,451 for equipment and $31,200 for current operating expenses, and for 1968-69 fiscal year $5,000 for equipment and $31,960 for current operating expenses, for "two new programs" at Robeson County Extension Unit.] To Appropriations.

HB 803 - Introduced by Whitley and others

"To amend Chapter 18 of the General Statutes of North Carolina relating to the collection of taxes on malt beverages and wines." [Amends designated subsections of GS 18-81 (additional taxes imposed relative to GS 18-64 malt beverages and wines) as follows: Changes reference in (a) and (a1) from "manufacturers and bottlers" to "wholesale distributors and importers." Rewrites (b) to provide that licensed wholesale distributors and importers of GS 18-64 beverages to pay tax on or before 15th day of month following calendar month in which first sold or disposed of within State. Rewrites (c) to provide that licensees responsible for payment of tax to file verified report (before 15th of each month) showing for preceding calendar month quantities of GS 18-64 beverages by size and type of container: constituting beginning and ending inventory, shipped from inside State and received in State, shipped from outside State and received outside State, sold or disposed in State, sold in State to US armed services separately indicating sales and transactions to which tax not applicable, and sold or disposed to persons outside State separately indicating sales and

transactions to which tax not applicable. Above report to show amount of tax payable after deductions of State sales and additional information required by Revenue Commissioner; payment to accompany report. Requires keeping of accurate books and invoices to substantiate accuracy of report and amount due; records to be kept for three years subject to inspection by Comm'r. Rewrites (d) to provide that persons required to keep records who fail to produce same on demand by Comm'r guilty of misdemeanor punishable by fine or imprisonment in court discretion. Rewrites (e) to provide that manufacturers, non-resident or foreign wholesalers licensed by Comm'r to sell and deliver GS 18-64 beverages (at time of sale or delivery to NC wholesale distributor or importer) to furnish a duplicate sales ticket or invoice to buyer and third copy to Comm'r containing: name and address of seller, name, address and license number of wholesale distributor or importer receiving shipment or making purchase, and exact number of barrels, kegs or cases delivered or purchased with size and type of container. Rewrites (f) to provide that manufacturers, non-resident wholesalers and foreign wholesalers licensed by Comm'r to sell and deliver GS 18-64 beverages, GS 18-96 fortified wines and GS 18-99 sweet wines to prepare and file monthly verified report showing exact number of barrels, kegs or cases with size and type of container of beverages sold to licensed wholesale distributors or importers during previous calendar month; report to be filed by 15th day of calendar month following month during which sold; sales records to be kept by seller for 3 yrs. for inspection by Comm'r. Deletes reference in (g) to affixing of crowns and lids and changes reference from "beverages" to "malt beverages." Rewrites (h) to allow 2% discount on excise tax on GS 18-64, -96, -99 beverages as compensation to sellers for spoilage, breakage, and for expenses incurred in keeping records here required; no discount for tax-paid beverages given as free goods or advertising. Rewrites (i) to forgive payment of taxes on beverages destroyed or spoiled or rendered unsalable by major disaster defined as destruction, spoilage or unsalability of 50 or more cases or their equivalent. Rewrites (j) to authorize Comm'r to adopt rules to relieve resident manufacturers, wholesale distributors and importers from liability of paying tax on GS 18-64 malt beverages sold to US Armed Services in State, shipped out of State for resale, or intended for use or consumption on ocean-going vessels engaged in interstate or foreign commerce for hire if delivered to vessel. Rewrites (k) to provide penalty (if tax not paid when due) of 10% on amount due plus interest (on tax amount and penalty) of 1/2% per month or fraction from date due till paid. Repeals (l), (m), (q), and (s); renumbers intervening subsections; Deletes 2nd and 3rd paragraphs of (o). Rewrites (r), (renumbered as (o)) to continue tax on GS 18-64 unfortified wines at present rate of 60¢ per gallon and to provide for payment on or before 15th day of month following calendar month in which first sold or disposed of within State; makes (c) through (l) applicable to GS 18-64 unfortified wines, GS 18-96, and -99 beverages. (The subsections of GS 18-81 rewritten or repealed as set out above now impose tax on mentioned beverages and generally provide for its administration through the affixation on containers by the bottler or manufacturer of specified tax crowns, lids and stamps.)

Adds designated new subsections to GS 18-81 as follows: (q) requires each licensed non-resident manufacturer, non-resident wholesaler or foreign wholesaler of GS 18-64 malt beverages (on or before January 15, 1968) to make advance lump excise tax payment to Comm'r in amount equal to highest two months' tax liability for tax crowns, lids and stamps for 12-month period ending June 30, 1967; amount to be credited to payer's account; beginning on January 1, 1969 and on 1st of month thereafter Comm'r to refund to payer 1/12 of advance till repaid; (r) requires licensees (as set out in (q) above) to make inventory of all NC tax-paid crowns, lids and stamps in possession and submit verified results to Comm'r not later than January 15, 1968; Comm'r to determine total amount of tax payment represented by inventory. (s) Requires unaffixed tax paid stamps at close of business on December 31, 1967 to be surrendered to Comm'r within 60 days for

refund. (t) Authorizes licensees to claim refunds on monthly report due on or before January 15, 1968 for full amount of tax paid by affixation before effective date of Act if the containers are still in possession on effective date; requires Comm'r to refund in amount of tax paid: for stamps, crowns, and lids affixed before effective date to containers in possession on effective date, for tax stamps returned unused within 60-days after effective date, and for tax crowns and lids as to which licensee has submitted satisfactory proof (before January 15, 1968) of possession as unused inventory of effective date; refunds to be credited to licensee and to be refunded in same manner as set out in (q) above; authorizes use of crown and lid inventory solely as closures after effective date. (u) Requires licensed wholesale distributors and importers to make inventory of all beverages in possession and submit verified results to Comm'r not later than January 15, 1968; Comm'r to determine total amount of tax payment represented by inventory; authorizes licensee to claim credit or refund on monthly report due on or before January 15, 1968 and for Comm'r to pay refund; authorizes licensees to sell inventory beverages but crowns, lids or stamps not to be considered evidence of tax having been paid.

Amends GS 18-82 (by whom tax payable) as follows: conforms to GS 18-81 (above). Makes it clear that tax imposed on GS 18-64 unfortified wines also applies to GS 18-96, and -99 beverages. Specifies that the excise tax levied by GS 18-81 shall be paid and collected on same beverages only once. Adds provision that required bond of wholesale distributors or importers shall not be in excess of $50,000. Deletes from GS 18-83.2 (importers to be licensed) GS 18-85.1 (tax on fortified wines), and GS 18-88.2 (beer sold to ocean going vessels) provisions with respect to tax-paid crowns, lids and stamps. Effective July 1, 1968.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 761 - (New Hanover) Introduced by Hill and Clark

"To amend the Charter of the City of Wilmington." [Amends SL 1963 Ch. 1046, by adding new § 24.6-24.7 authorizing city governing board to enter into agreements with other municipal or county governing bodies for establishment of joint planning boards; such board to be established in accordance with GS Ch. 160, Secs. 22-24 and resolution establishing to state name, duties, qualification for membership, term of office, organization, officers, rules, and other details of board; requires all meetings of planning board to be public.] To Local Government.

HB 762 - (Vance) Introduced by Church

"Relating to the compensation of certain officials of Vance County." Modifies SL 1965, Ch. 862 to increase annual salaries for various officials as follows: judge of recorder's court-$5,450 (now $5,000); prosecuting attorney of recorder's court-$357 per month (now $325); clerk of recorder's court-$3,500 (now $3,250); sheriff-$6,500 salary (now $6,000) and $2,300 expense allowance (now $2,050); register of deeds-$8,250 (now $7,500); CSC-$5,500 (now $5,000); county comm'rs-$1,000 ($960); chairman, county comm'rs-$1,900 ($1,860); judge of juvenile court-$1,500 (now $1,400); constable of Henderson Township-$185 per month (now $175). Effective July 1, 1967.] To Counties, Cities and Towns.

HB 763 - (Ashe) Introduced by Barr

"Amending Chapter 527, 1951 Session Laws, relating to the fees of the Register of Deeds of Ashe County." [Increases following fees of Ashe Register of Deeds: issuing marriage certificates to $5 (now $2); making certified copies of marriage certificates to $1 (now 75¢); making certified copies of birth certificate to $1 (now 75¢); cancelling deeds of trust, mortgages and conditional sales contracts, when cancelled by trustee or mortgagee to $1 (now 25¢); and by adding

to fees $1 for certifying copy of death certificate.] To Salaries and Fees.

HB 764 - (Columbus) Introduced by Williamson and Collier

"Authorizing the right to petition for municipal liquor stores in incorporated municipalities in Columbus County, establishment of same upon an affirmative vote of the people, and providing for the allocation of net proceeds from the operation thereof." [If county does not call ABC election under GS 18-61 (providing for election upon written request of county comm'rs or petition of 15% of voters) by June 1, 1967, Act directs each incorporated municipality upon petition of 30% of voters who voted in last municipal election to order special election on question of whether ABC stores may be operated in municipality. If county calls ABC election and vote is against question, no municipality to hold election until after 90 days; if vote is favorable, municipalities not to hold any ABC elections. If called, special election to be conducted in same manner as municipal elections; municipal governing bodies to give 30 days registration notice and books to remain open in accord with law for regular municipal elections; new registration not required; ballot to be as prescribed by Act. If election vote is for question, governing body immediately to create 3-member municipal ABC board serving staggered 3-yr. terms; chairman to be designated by governing body; vacancies filled by governing body. Powers of ABC board are as prescribed in GS 18-45 (relating to powers and duties of county ABC boards) and subject to State ABC Board; GS Ch. 18, Art. 3 (ABC Control Act) to govern board except where in conflict with Act. If subsequent election votes out ABC stores, ABC board within three months to close stores and dispose of all alcoholic beverages, fixtures and property by converting them to cash for transfer to town treasurer; thereafter laws applicable to sale of alcoholic beverages prior to favorable ABC vote again in effect and to remain in effect unless and until later election favoring ABC store. Subsequent election to be held within 60 days after petition filed; not to be held within three years after last election, and not to be held on or within 30 days of any biennial county or municipal or primary election. Net profit of municipal stores (after retaining working capital as determined by ABC board) to be disbursed as follows: 5-10% to town general fund for fire dep't; 60% to town general fund for any public purpose; 35% to county general fund for equal distribution to school units in which ABC stores are located. Municipality to allocate 5-10% of gross revenues for law enforcement. Net profits of county stores (including deduction of 5-10% for law enforcement in accordance with GS 18-45, and retaining working capital determined by ABC board) to be disbursed as follows: 5% equally distributed to towns with ABC stores for fire dep'ts; 60% to towns with ABC stores for any public purposes, in proportion to population; 35% to county general fund for equal distribution to school units in which ABC stores are located.] To Propositions and Grievances.

HB 765 - (Burke) Introduced by Ervin

"To broaden the home rule powers of the board of county commissioners to fix the compensation of certain officials of Burke County." [Amends SL 1959, Ch. 1095 to authorize county comm'rs to fix sheriff's annual salary at not more than $10,000 (now, not less than $5400 nor more than $6000) and to fix annual salary of chief deputy sheriff at not more than $7,000 (now $3600); further authorizes board to fix travel allowance not in excess of that fixed for rural county policemen, provided combined annual compensation and travel allowance of chief deputy not to exceed combined compensation of sheriff. Repeals provision setting assistant CSC annual salary at $3700 and provides that all compensation and expense allowances authorized above to be paid out of Burke general fund. Effective July 1, 1967.] To Judiciary 1.

HB 766 - (Burke) Introduced by Ervin

"To provide for the reorganization and consolidation of the Burke County Board of Education, the Morganton Grade School District (Morganton City Schools) and the Glen Alpine Graded School District (Glen Alpine City Schools), and to create and establish one administrative unit for all of the public schools in Burke County." [Provides for consolidation of school administrative units in Burke County into one unit under control of consolidated "Burke County Public Schools Board of Education." [Current boards may jointly petition county comm'rs for election on: (1) merger of three units and their boards into one unit under one board; (2) construction of new consolidated high school and issuance of bonds therefor; (3) requirement that new board request and county comm'rs appropriate annually from general tax revenues, fund to provide no less than current expense expenditures per student levied and appropriated to units in Burke County system during fiscal year preceding year of election merger; and (4) requirement that county comm'rs levy county-wide supplemental school tax at rate to produce not less than per capita dollar produced per student by existing supplemental tax in Morganton Graded School District in last completed fiscal year preceding election, not to exceed 50¢ per $100 valuation. Upon receipt of petitions, comm'rs to call election within 60 days and fix date for same within 120 days; election not to be held at time of any other election; sets out ballot; majority of voters of all proposals required for approval of consolidation; election to be conducted in accord with general law.

In event of merger following to supply: (1) Terms of school board members of existing boards to terminate and new board to be composed of four members from Burke County Board, three of Morganton City Schools Board and two from Glen Alpine Board. Burke board to select at least two members from high school districts not represented by Morganton board and Glen Alpine board unless no current member of Burke board is a resident of a high school district not otherwise represented. (2) Nine members to draw lots for initial terms, (those each of 2, 4 and 6 years.) (3) Three members to be elected at county-wide biennial school election first Monday in April of each odd year succeeding initial appointment; no person eligible to serve more than two successive 6-year terms. (4) Board of elections to prepare ballot with no party designation. (5) County to be divided into high school geographical districts and each at all times to be represented by at least one member of board. Whenever vacancy occurs, candidates running to designate high school district on ballot but all candidates to be voted for by electorate at large. (6) Within 90 days after consolidation vote, (if successful), members of three boards to jointly adopt high school geographical district lines (in conformity with 1963 State Survey); majority of all members to constitute quorum and majority of those present to approve and adopt district lines. (7) If consolidated board not formed in time to file school budgets, existing three boards to approve budgets in joint session; chairman of Burke County Board to preside. (8) Each year following merger consolidated board to file supplemental tax budget to provide minimum expenditure per student not less than supplemental taxes collected per student by Morganton City Unit during fiscal year prior to consolidation. Funds allocated on equal per capita basis among students in high school attendance zones. (9) Treasurer to be appointed by new board, to be bonded for no less than $25,000, and to carry out duties prescribed by law in accounting for school funds. (10) New board authorized to appoint advisory council for any school or for all schools within the school system. (11) Title of property of three existing boards to be vested in new board; claims and demands of existing boards transferred to new board. (12) Upon July 1 following election, effective date of consolidation, all provisions of school board charters to be repealed. (13) Board members to be compensated for travel or sustenance incurred in connection with official school board business. (14) Upon consolidation approval, three boards authorized to employ personnel needed, provided first superintendent to be elected from applicants other than personnel constituting personnel of current three systems. (15) If voters fail to approve consolidation, three may petition for another election any time after expiration of six months of preceding election.] To Education.

HB 767 - (Guilford) Introduced by Whitley, Edwards, Short and Exum

"To prevent the discharge of firearms on any public highway or street in Guilford County, so as to insure the safety of the general public and to prevent destruction of public property." [Makes misdemeanor to discharge or fire any pistol, shotgun, rifle, or other firearm on traveled portion of any public street or highway or shoulders. Exempts officers and enlisted personnel of US armed forces, civil officers of US, officers and soldiers of militia and State guard, local and State officers when discharging official duties. Prescribes punishment by fine or imprisonment or both in courts discretion.] To Judiciary 2.

HB 769 - (Gaston) Introduced by Stewart

"To amend Chapter 222, Session Laws of 1967, relating to the transportation, possession and consumption of alcoholic beverages in Gaston County." [Amends GS 18-51.1(3) as rewritten by cited Act to add proviso that State ABC Board permits (allowing the possession and consumption of alcoholic beverages on premises) shall not be issued to any restaurants or related places in Gaston County under the provisions of GS 18-51 unless ABC stores are authorized, established and operated by Gaston ABC Board, notwithstanding the establishment and operation of ABC store in Kings Mountain.] To Propositions and Grievances.

HB 770 - (Catawba) Introduced by Mullinax and Poovey

"To amend G.S. 105-345 relating to the discount for prepayment of taxes, as applied to Catawba County." [Rewrites Catawba County proviso (SL 1953, Ch. 434) to cited statute by providing that maximum discount allowable for prepayment of ad valorem taxes to be 1% if paid within 15 days from date tax notice mailed. Taxes to be collected at net after 15-day period. Penalties to accrue pursuant to GS 105-345.] To Local Government.

HB 772 - (Pitt) Introduced by Forbes

"To amend Chapter 250, Session Laws of 1955, so as to increase the number of County Commissioners in Pitt County." [Adds an additional commissioner from District One to be nominated and elected in primary and general election in 1968, and quadrennially thereafter, for 4-yr. term. After ratification of Act county commissioners and Greenville city council to meet jointly and elect a person residing in District One to serve until general election in 1968.] To Counties, Cities and Towns.

HB 773 - (Carteret) Introduced by Taylor, Sugg and Godwin

"To regulate noise in Carteret County." [Makes unlawful to: operate any motorcycles anywhere in county between the hours of 9:00 p.m. and 9:00 a.m. except on State or Federal Highways; to operate any automobile race track or drag strip in county between hours of 10:00 p.m. and 9:00 a.m. or to drive or operate any motor vehicle on such track or strip during those hours. Sets punishment at fine up to $50 and imprisonment up to 30 days.] To Judiciary 2.

HB 774 - (Carteret) Introduced by Taylor

"To provide for the nomination and election of the members of the Board of Education of Carteret County." [Carteret Board of Education to consist of five members nominated and elected from four existing districts. At 1968 county primary two candidates from each of two major political parties in District 1 and 2 to be nominated by voters of respective districts; to compete at general election for 4-year terms. In 1970 county primary, candidates from each major political party to be nominated for Districts Nos. 1, 3 and 4 by voters from respective districts; to compete at general election for 4-year terms. Candidates at general election to be voted on by electors of Carteret County at large. Candidate for district must be resident of district from which he runs and must file notice of candidacy within 30 days of primary with board of elections, with $5 fee. Election to be conducted according to applicable local and general law. Vacancies to be filled

within 30 days by executive committee of political party in power in Carteret County for unexpired term. Chairman to be elected by board members at first regular meeting in January of each year; superintendent of schools to be ex officio secretary of board.] To Education.

HB 776 - (Cleveland) Introduced by Mauney

"To amend General Statutes Section 152-1 so as to authorize the Board of County Commissioners of Cleveland County to appoint an assistant coroner." [Modifies GS 152-1 (selection of county coroners) by authorizing Cleveland County Commissioners to appoint assistant coroner, who shall execute performance bond with penal surety of $2,000, payable to State and approved by commissioners. He shall have all powers and duties of regular coroner in holding inquests of deceased bodies and be subject to penalties and liabilities imposed on coroner; to serve in absence of coroner and as necessary at such times as required by county board, and to receive compensation as set by county board.] To Local Government.

HB 777 - (Rutherford) Introduced by Harrill

"To amend Chapter 109 of the 1963 Session Laws of North Carolina relating to small watershed programs to make same applicable to Rutherford County." [Amends cited statute to authorize watershed improvement districts in Rutherford, and the county for countywatershed program, to condemn land needed to carry out watershed improvement programs. (Cited Act applies to Rowan County.)] To Local Government.

HB 778 - (Beaufort) Introduced by Roberson and Burrus

"To amend Chapter 678 of House Bill No. 308 of the 1949 Session Laws of North Carolina relating to peace officers' relief fund for the County of Beaufort to be hereafter known as the Beaufort County Law Enforcement Officers' Association." [Calls for formation of Beaufort County Law Enforcement Officers' Association, to include all law enforcement officers in Beaufort and members of State Highway Patrol as prescribed in definition of law enforcement officer. Membership shall be governed by by-laws approved by association. Applicants not eligible for membership until they have served as law enforcement officer in Beaufort for six months. Membership conditioned on majority vote of members present. Executive Board to consist of five members of association with no more than one officer from a single agency to serve during calendar year, to be elected by majority vote of association at last regular meeting in June of each year; board members to assume duties on July 1. Board to elect chairman and secretary at first meeting in each year. County treasurer to be ex-officio treasurer of association. Calls for ladies auxiliary of association to include wives of active members of association; its by-laws to be approved by Executive Board. Money paid to treasurer shall be turned over to Beaufort County Treasurer to be disbursed at approval of Executive Board. Treasurer of association shall make annual reports to Executive Board prior to meeting of association in June of each year showing total money in hand at time of filing of report and accounting since last report; reports to be presented to membership by executive board at each annual meeting in June. Accumulated funds may be invested in bonds and securities unanimously approved by executive board, interest and income from which shall be added to principal of fund. Expenditures to be made only on vouchers signed by chairman and treasurer. Officers and members of executive board to serve without compensation with necessary office supplies and stationery to be paid for from funds of association. Association shall adopt constitution and by-laws to be approved by executive board suitable for carrying out act. Property owned by association shall be available only with approval of executive board and when active member is present during use; property not to be available for any political function. Accumulated or current funds and property shall not be taxable by State, County, or municipality.] To Courts and Judicial Districts.

HB 779 - (Beaufort) Introduced by Roberson and Burrus
"To amend Chapter 142 of the Session Laws of 1963 relating to drainage districts in Beaufort County and adjoining counties." [Amends cited statute to make statute (authorizes county comm'rs to levy assessments up to $5 for drainage purposes) applicable to drainage districts within jurisdiction of CSC of Beaufort County and to all territory in such districts including any part or parts that may lie outside Beaufort County.] To Irrigation and Drainage.

HB 780 - (Lenoir) Introduced by Elliott by request
"To expand the boundary lines of the Kinston City Administrative School Unit." [Extends boundary lines of Kinston City Administrative School Unit to embrace all territory annexed, and to be annexed, by Kinston outside of any beyond present Kinston City Administrative School Unit.] To Education.

HB 781 - (Alamance) Introduced by Pickard and Euliss
"To amend G.S. 66-84 so as to exempt Alamance County from Article 17 of Chapter 66 of the General Statutes, relating to business closing-out sales." [As title indicates, strikes Alamance from list of counties to which GS Ch. 66, Art. 17 (Closing-out Sales) applies.] To Judiciary 2.

HB 782 - (Alleghany) Introduced by Collins
"Prohibiting the discharge of firearms on or across any highway in Alleghany County." [As title indicates, prohibits discharge of firearms without written permission of landowners abutting highway or road where shooting occurs. Violation to be misdemeanor, punishable by fine of not more than $50 or imprisonment for not more than 30 days or both in discretion of court.] To Judiciary 1.

HB 783 - (Ashe) Introduced by Barr
"To authorize the Ashe County Board of Education to convey to the Town of West Jefferson certain property to be used for community purposes." [Authorizes county board of education to convey community building as described to West Jefferson to be used for community purposes. If West Jefferson ceases to maintain and operate property for proper community purposes, property to revert to Ashe County Board of Education.] To Education.

HB 784 - (Guilford) Introduced by Exum, Bowles, Edwards, Phillips, Short and Whitley
"To amend G.S. 153-9(43), relating to tax levies for certain special purposes, so as to make the same applicable to Guilford County." [Adds Guilford to list of counties authorized to levy annually on taxable property in county to pay salary and office expenses of county accountant, farm demonstration agent, home demonstration agent, and veteran's service officer and office.] To Local Government.

HB 785 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones
"To make Chapter 85A of the General Statutes, relating to bail bondsmen and runners, applicable to Mecklenburg County." [Adds Mecklenburg to list of counties to which GS Ch. 85A (relating to regulation of bail bondsmen and runners) applicable.] To Counties, Cities and Towns.

HB 786 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones
"To amend Chapter 713 of the Session Laws of 1965, being the charter of the City of Charlotte in Mecklenburg." [Deletes from SL 1965, Ch. 713 provision that hours of 6:30 a.m. to 6:30 p.m., during which polls shall be open in all municipal elections, shall be "Eastern Standard Time."] To Counties, Cities and Towns.

HB 787 - (Cabarrus) Introduced by Johnson

"Concerning the exercises of the power of eminent domain in connection with small watershed programs in the County of Cabarrus." [Authorizes watershed improvement districts in Cabarrus, and the County for purposes of its watershed improvement program, to acquire by condemnation any interest in land (as defined) needed in carrying out watershed improvement program; procedure for condemnation to be as provided in GS Ch. 40, Art. 2. Powers may be exercised only after State Soil and Water Conservation Committee finds that land is to be acquired for proper district (or county) purpose; findings to be certified to applicant, State Board of Water Resources and clerk of superior court of any county wherein any part of the district lies. Interests so acquired may be used as trustees (or county comm'rs) deem best, and may be sold, leased or rented with approval of State Committee.] To Judiciary 2.

HB 788 - (Alexander) Introduced by Kincaid, Ervin and Tate

"Pertaining to Article 3, Chapter 139 of the General Statutes, as the same related to a watershed improvement program in Alexander County." [Authorizes board of commissioners to exercise GS Ch. 139, Art. 3 powers (relating to financing watershed programs), and to levy special "Watershed Improvement Tax" at not to exceed 5¢ per $100 property valuation, without election required by GS 139-39 and 139-40.] To Judiciary 1.

HB 790 - (Chatham) Introduced by Andrews

"To authorize the governing body of the Town of Goldston in Chatham County to fix the compensation of the mayor and members of the governing body." [As title indicates, Goldston governing board authorized to fix salaries by ordinance, but may not increase or decrease them during term for which mayor or members of governing body are elected; no increase to be effective during term increase is voted and all salaries and renumerations heretofore authorized are validated.] To Judiciary 1.

HB 791 - (Chatham) Introduced by Andrews and Stanford by request

"To authorize the qualified voters of the Town of Pittsboro to determine whether wine and beer may be legally sold and alcoholic beverage control stores operated in the Town of Pittsboro." [Identical to SB 333, digested in the Senate section of today's Bulletin.] To Propositions and Grievances.

HB 792 - (Yancey) Introduced by Ramsey and Messer

"To amend Sections 105-306(26), 105-308, 105-309, and 105-310 of the General Statutes of North Carolina in order to authorize the Tax Supervisor and Board of Commissioners of Yancey County to prescribe regulations relating to the listing of property for taxation in Yancey County and authorize the division, or combining of townships for tax listing purposes." [Empowers tax supervisor and board of commissioners to prescribe regulations, form and administration of oath, and listing of property for taxation by agents and by mail. Empowers same officials to divide or combine townships in county for tax listing purposes. Tax supervisor, with approval of board of commissioners, may appoint list takers for each unit so combined or divided. Makes sections cited in title (relating to tax listing) applicable to Yancey except where inconsistent with regulations adopted per this act; provisions of GS 105-307 making failure to list properly a misdemeanor made applicable to Yancey County. (Propriety of listing to be judged by conformance with regulations adopted under this act as well as with GS provisions.)] To Local Government.

HB 793 - (Wake) Introduced by Johnson, Twiggs, Bunn and McMillan

"To amend sections 105-306(26), 105-308, 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of County Commissioners of Wake County to prescribe regulations relating to the list of property for taxation in Wake County, and to authorize the division or combining of townships for tax listing purposes."

[Authorizes board of commissioners to prescribe manner of listing taxes in county, including form and administration of oath, and listing by agents or mail. Affixing of signature to oath or affirmation contained on property listing statement submitted by mail shall be equivalent to taking oath or affirmation described in GS 105-308 (prescribing form of taxpayer oath) or GS 105-310 (requiring above oath be taken by taxpayer before notary public or other authorized oath taker when tax list submitted by mail). Board may divide or combine townships in county for tax listing purposes and tax supervisor, with approval of board, may appoint list takers for units so formed. Provisions of GS 105-306(26), GS 105-308, and GS 105-310 (all pertaining to taxpayer oath) and GS 105-309 (pertaining to listing by agent) shall be applicable to county except as they are inconsistent with regulations established by board. Provisions of GS 105-307 (making it misdemeanor to fail to list property and setting penalty therefore) shall be applicable in county and shall apply to regulations adopted by board under act so far as consistent with said regulations.] To Judiciary 1.

HB 794 - (Northampton) Introduced by Jernigan and Burden

"To amend Chapter 509, Session Laws of 1965, relating to the taking of game from public highways in Northampton County." [Amends cited statute to change penalty that may be imposed upon conviction for taking game from public highway to fine of $50 or imprisonment for 30 days (now, fine or imprisonment or both in discretion of court).] To Courts and Judicial Districts.

HB 798 - (Cumberland) Introduced by High

"Amending the Charter of the City of Fayetteville." [Rewrites Sec. 7(38) of Fayetteville charter to provide that when water collects upon property without adequate natural drainage City Council may on own motion abate nuisance reported by health officer or believed likely to become nuisance or menace to health. Rewrites Sec. 7(39) to provide that city shall cause survey to be made by competent engineer to determine means and costs of providing adequate drainage from property. Engineer shall prepare plans and specifications for drainage with estimated cost; City is authorized to pave such property. Engineer shall include in survey areas of adjoining and adjacent property to be drained by drainage systems. City shall then notify owners of all such property stating plan of city, assessed cost, availability of plan on file and subject to inspection, and that hearing on adoption of plan will be held at which owners may appear and present objections. Rewrites Sec. 7(41) to provide that City to bear 1/3 of costs of work and remainder to be assessed against owners in proportion to area as shown in engineer's plans as adopted; assessments to be due in not over five annual installments bearing interest. Rewrites Sec. 7(42) to define "special improvement district" as area drained or paved by plans.] To Judiciary 1.

HB 799 - (Cumberland) Introduced by High and Bryan

"To amend GS 160-181.2, relating to extraterritorial jurisdiction, so as to make it applicable to Cumberland County." [Deletes Cumberland County from list of counties excluded from application of GS 160-181.3, authorizing municipalities to exercise extraterritorial zoning powers under conditions specified in statute. Adds new paragraph creating joint legislative body composed of Cumberland County Comm'rs and governing body of Fayetteville; requires that all Fayetteville extraterritorial ordinances and regulations be enacted by joint legislative body created. To Judiciary 1.

HB 801 - (Robeson) Introduced by McMillan

"Authorizing the right to petition for municipal liquor control stores in incorporated municipalities in Robeson County, establishment of same upon an affirmative vote of the people, and providing for the allocation of net proceeds from the operation thereof." [Authorizes governing body of any incorporated municipality with more than 1000 population to hold ABC election upon petition of 25% of voters who voted in last municipal election; city ABC stores may be operated if majority of votes cast favor operation. Election to be conducted in same manner as municipal elections except as prescribed by Act; governing bodies to give 30 days registration notice and books to remain open in accord with law for regular municipal elections; new registration not required; ballot to be as prescribed by Act. If vote is for ABC stores, governing body immediately to create city ABC board serving staggered 3-yr. terms; chairman to be designated by governing body. Powers of board are as prescribed in GS 18-45 (relating to powers and duties of county ABC boards) and subject to State ABC board; GS Ch. 18, Art. 3 (ABC Control Act) to govern board except where in conflict with Act. If subsequent election votes out ABC stores, board within three months to close stores and dispose of beverages, fixtures and property by converting them to cash for transfer to city treasurer; thereafter laws applicable to sale of alcoholic beverages prior to favorable ABC vote again in effect and to remain in effect unless and until later election favoring ABC stores. Subsequent election to be held within 60 days after petition filed; not to be held within two years after last election and not to be held on or within 30 days of any biennial county or municipal or primary election. Net profit (after retaining working capital as determined by ABC board) to be disbursed as follows: 5% to city general fund to be used for law enforcement; 45% to city general fund for any governmental purpose; 50% to county general fund for any governmental purpose. Identical to SB 343.] To Propositions and Grievances.

HB 802 - (Rutherford) Introduced by Harrill

"To amend Chapter 2 of the Private Laws of 1925 relating to salaries of the Mayor and Commissioners of the Town of Forest City." [Amends cited Act to increase salary of mayor to $100 per month (now, $50) and town commissioners to $50 per month (now, $25). Retroactive to May 1, 1967.] To Local Government.

HB 804 - (Guilford) Introduced by Short, Exum and Phillips

"Creating the offense of disturbing the peace in Guilford County." [Creates offense of disturbing the peace and defines same as: fist fighting, use of unncessarily loud, offensive or insulting language, appearing intoxicated, three or more persons doing a violent act, holding unlawful assembly, or doing of any other act in a publicly alarming or disturbing manner when any of cited activities would foreseeably disturb or alarm public. Offense punishable by up to $50 or 30 days imprisonment for first offense; up to $100 or 60 days for second offense within 12 months of first, and offense a misdemeanor (punishable as such) for third offense in twelve month period.] To Judiciary 1.

HB 805 - (Carteret) Introduced by Taylor

"To extend the corporate limits of the Town of Beaufort." [Extends corporate boundaries of Town of Beaufort to include area described by metes and bounds.] To Judiciary 2.

HB 806 - (Watauga) Introduced by Tate
"Relating to temporary courthouse quarters for Watauga County pending the construction of a new courthouse, and to a site for the new courthouse." [Authorizes county commissioners to secure and provide necessary temporary space in one or more buildings within county and for governmental purpose pending construction of governmental buildings, for courthouse and jail purposes, which temporary quarters may be designated as courthouse and jail respectively. Permits such quarters to be used to hold sessions of court and other hearings required to be heard at county courthouse, and to be used to perform any governmental functions of county. Act effective until new buildings are constructed, accepted and occupied.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 161 - Equitable 'Safe Driver Plan'. Postponed to May 1.
SB 162 - Car financial responsibility, as amended in Senate 4/21. Postponed to May 1.

HB 316 - Militia amendment. Floor amendment adopted providing that females not to be subject to draft into militia. Passed third reading.
HB 418 - Dental Board hearing. Passed second and third readings.
HB 419 - Dental Board license revocation. Passed second and third readings.
HB 420 - Dental hygienist fees. Passed second reading.
HB 467 - Veterans Commission and scholarships. Re-referred to Appropriations.
HB 468 - Veterans guardianship changes. Passed second and third readings.
HB 501 - Executive Mansion Fine Arts Committee. Passed second and third readings.
HB 505 - Fiduciary's allocating expense. Passed second and third readings.
HB 512 - Adoption of blood relatives. Postponed to May 3.
HB 528 - Commission on women. Re-referred to Appropriations.
HB 544 - Realty broker licenses. Passed second and third readings.
HB 548 - Veteran's employment preference. Passed second and third readings.
HB 574 - General Assembly compensation. Passed second and third readings.
HB 635 - Commercial driver training. Amended to provide that course of instruction must be approved by Superintendent of Public Instruction as well as Commissioner of Motor Vehicles. Passed second and third readings.

LOCAL BILLS

SB 291 - (Wayne) Goldsboro aldermen pay. Received from Senate; sent to Counties, Cities and Towns.
SB 296 - (Buncombe) Assistant, deputy court clerks. Received from Senate; sent to Courts and Judicial Districts.
SB 301 - (Catawba) Hickory school board deeds. Received from Senate; sent to Local Government.

HB 530 - (Mecklenburg) Pineville water and sewer. Passed third reading.
HB 569 - (Harnett) Lillington officials pay. Passed.
HB 583 - (Buncombe) Medical examiner. Passed.
HB 589 - (Rockingham) County debt service transfer. Passed.
HB 597 - (Guilford) High Point civil service. Passed.
HB 605 - (Iredell) Watershed tax. Passed third reading.
HB 620 - (Catawba) Soil and water funds. Passed.
HB 649 - (Gates) Tax collector appointment. Passed.
HB 652 - (Vance) Henderson flouridation vote. Passed.
HB 663 - (Alamance) Burlington salary limit. Passed.

HB 669 - (Guilford) Bail bondsmen. Passed.
HB 670 - (Ashe) Commissioner's number. Passed.
HB 671 - (Ashe) West Jefferson aldermen vote. Passed.
HB 676 - (Dare) Roanoke Island birds. Passed.
HB 684 - (Wake) Abandoning domestic animals. Passed.
HB 688 - (Rowan) Auditor appointment. Passed.
HB 692 - (Martin) Williamston garbage land. Passed.
HB 694 - (Wilkes) Clingman school property. Passed.
HB 696 - (Caswell) Disbursement publication. Passed.
HB 697 - (Caswell) Budget publication. Passed.

The unnumbered House Resolution, relating to Railroad Companies, digested on page 285 of Bulletin No. 36 was amended to provide that reported information with respect to location and description of railroad's right of way and description of lease need be only "general". Adds requirement that reported information include copy of most recent audit of companies' financial position and a list of directors and officers of each company. The resolution passed.

Next session of House: 9:00 a.m., Saturday, April 29, 1967 for consideration of local bills only.
8:00 p.m., Monday, May 1, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 59

Monday, May 1, 1967

Note: The Senate convened at 9:00 a.m., Saturday, April 29, 1967, for consideration of local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SR 344 - (Joint Resolution) Introduced by Matheson
"Honoring the life and memory of Mrs. Charles W. Stanford of Redfields, Route 1, Chapel Hill, North Carolina." [As title indicates. Identical with HR 894.] Passed three readings; sent to House.

SR 346 - (Joint Resolution) Introduced by Briggs
"To commemorate District 37 North Carolina State Toastmasters and Toastmasters International, and to proclaim Toastmasters Week." [As title indicates.] Passed three readings; sent to House.

SR 355 - (Joint Resolution) Introduced by Nielson
"To amend the Senate rules to require that all sessions be recorded on tape and that each tape be kept for one week for reference purposes." [As title indicates. Requires entire proceedings of each session of Senate be recorded on tape, each tape to be preserved for one week for reference purposes and to be available during this time to Lieutenant Governor, any Senator and Principal Clerk.] To Rules.

SR 356 - (Joint Resolution) Introduced by Nielson
"To express appreciation to Bob Farrington and to Radio Station WPTF for providing a record of Senate debate on SB 82." [As title indicates.] Passed three readings; sent to House.

SB 357 - Introduced by White of Lenoir
"To amend Chapter 635 of the 1965 Session Laws to provide changes with respect to projects wholly self-liquidating." [Makes following amendments to appropriations provided in "Education" title of cited act (present amounts and present designations of budget subtitles are set forth below in parentheses):

North Carolina State University at Raleigh

8. Two Dormitories, 800 Students each (4,800,000)

First Building	2,400,000		
Second Building	2,720,000		
		5,120,000	
Less Self-Liquidating		5,120,000	(4,800,000)

-0-

9. Dormitory for 300 Students		1,020,000	(900,000)
Less Self-Liquidating		1,020,000	(900,000)
			-0-

Appalachian State Teachers College

4. Replacement and Enlargement of Facilities for Health and Physical Education		2,054,400	(1,350,000)
Less 1963 Appropriation		852,750	
Less Federal Funds		574,782	
Less Self-Liquidating		626,868	(497,250)
			-0-

Elizabeth City State College

1. Dormitory for 176 (174) Students			
Building	572,400	(522,625)	
Equipment	26,000		
	598,400		
Less 1963 Appropriation	119,625		
		478,775	
Less Self-Liquidating		478,775	(403,000)
			-0-
2. Dormitory for 124 (126) Students			
Building	403,600	(377,625)	
Equipment	18,000		
	421,600		
Less 1963 Appropriation	86,625		
		334,975	
Less Self-Liquidating		334,975	(291,000)
			-0-

Identical with HB 873.] To Appropriations.

SB 358 - Introduced by White of Lenoir

"To amend Chapter 944 of the 1965 Session Laws to provide changes only with respect to projects wholly self-liquidating." [Makes following amendments in cited act (present amounts and present designations of budget subtitles are set forth below in parentheses):

University of North Carolina at Chapel Hill

15. Residence Halls for 2,000 Students ($3,000 per occupant)	Buildings	6,500,000	(6,000,000)
	Equipment	300,000	
		6,800,000	
Less Self-Liquidating		6,800,000	(6,000,000)
			-0-

University of North Carolina at Greensboro

25. Dormitory for 600 Students (Dormitory maximum $3,000 per student)			
	Building	1,950,000	(1,800,000)
	Equipment	90,000	

		2,040,000	
Less Self-Liquidating		2,040,000	(1,800,000)
			-0-

27. Dormitories for 850

Students (dormitory maximum $3,000 per student)	Buildings	2,760,000	(2,550,000)
	Equipment	130,000	
		2,890,000	
Less Self-Liquidating		2,890,000	(2,550,000)

Provides that purpose of Act is to increase cost allowance from $3,000 to $3,400 per student occupant of self-liquidating projects. Identical with HB 822.] To Appropriations.

SB 359 - Introduced by White of Lenoir

"To amend Chapter 916 of the 1965 Session Laws with respect to projects wholly self-liquidating." [Makes following amendments to appropriations provided in "Education" title of cited act (present amounts and present designations of budget subtitles are set forth below in parentheses):

University of North Carolina at Chapel Hill
(Academic Affairs)

3. Residence Halls for 2000 Students

	Building	6,500,000	(5,700,000)
	Equipment	300,000	(300,000)
		6,800,000	
Less Self-Liquidating		6,800,000	(6,000,000)
			-0-

North Carolina State University at Raleigh

4. Houseing for 808 Single Students

	Building	2,617,200	(2,303,000)
	Equipment	130,000	(121,000)
		2,747,200	
Less Self-Liquidating		2,747,200	(2,424,000)
			-0-

University of North Carolina at Greensboro

6. Dormitory for 450 Students

	Building	1,460,000	(1,282,500)
	Equipment	70,000	(67,500)
		1,530,000	
Less Self-Liquidating		1,530,000	(1,350,000)
			-0-

East Carolina College

2. Dormitory for 400 Students

	Building	1,300,000	(1,140,000)
	Equipment	60,000	(60,000)
		1,360,000	
Less Self-Liquidating		1,360,000	(1,200,000)
			-0-

3. Dormitory for 500 Students			
	Building	1,625,000	(1,425,000)
	Equipment	75,000	(75,000)
		1,700,000	
Less Self-Liquidating		1,700,000	(1,500,000)
			-0-
4. Dormitory for 400 Students			
	Building	1,300,000	(1,040,000)
	Equipment	60,000	(60,000)
		1,360,000	
Less Self-Liquidating		1,360,000	(1,200,000)
			-0-
Agricultural and Technical College			
5. Dormitory for 400 Students			
	Building	1,300,000	(1,140,000)
	Equipment	60,000	(60,000)
		1,360,000	
Less Self-Liquidating		1,360,000	(1,200,000)
			-0-
Western Carolina College			
2. Two 400-Student Dormitories			
	Buildings	2,600,000	(2,280,000)
	Equipment	120,000	(120,000)
		2,720,000	
Less Self-Liquidating		2,720,000	(2,400,000)
			-0-
Appalachian State Teachers College			
7. Dormitory for 300 Students			
	Building	975,000	(855,000)
	Equipment	45,000	(45,000)
		1,020,000	
Less Self-Liquidating		1,020,000	(900,000)
			-0-
8. Dormitory for 300 Students			
	Building	975,000	(855,000)
	Equipment	45,000	(45,000)
		1,020,000	
Less Self-Liquidating		1,020,000	(900,000)
			-0-
9. Dormitory for 300 Students			
	Building	975,000	(855,000)
	Equipment	45,000	(45,000)
		1,020,000	
Less Self-Liquidating		1,020,000	(900,000)
			-0-

10. Dormitory for 300 Students			
	Building	975,000	(855,000)
	Equipment	45,000	(45,000)
		1,020,000	
Less Self-Liquidating		1,020,000	(900,000)
			-0-
Pembroke State College			
6. Dormitory for 100 Students			
	Building	325,000	(285,000)
	Equipment	15,000	(15,000)
		340,000	
Less Self-Liquidating		340,000	(300,000)
			-0-
7. Dormitory for 100 Students			
	Building	325,000	(285,000)
	Equipment	15,000	(15,000)
		340,000	
Less Self-Liquidating		340,000	(300,000)
			-0-
Winston-Salem State College			
4. Dormitory for 125 Students			
	Building	407,000	(357,000)
	Equipment	18,000	(18,000)
		425,000	
Less Self-Liquidating		425,000	(375,000)
			-0-
Elizabeth City State College			
1. Dormitory for 176 Students			
	Building	572,400	(502,000)
	Equipment	26,000	(26,000)
		598,400	
Less Self-Liquidating		598,400	(528,000)
			-0-
2. Dormitory for 124 Students			
	Building	403,600	(354,000)
	Equipment	18,000	(18,000)
		421,600	
Less Self-Liquidating		421,600	(372,000)
			-0-
North Carolina College at Durham			
2. Dormitory for 400 Students			
	Building	1,300,000	(1,140,000)
	Equipment	60,000	(60,000)
		1,360,000	
Less Self-Liquidating		1,360,000	(1,200,000)
			-0-

3. Dormitory for 200 Students			
	Building	650,000	(570,000)
	Equipment	30,000	(30,000)
		680,000	
Less Self-Liquidating		680,000	(600,000)
			-0-
4. Dormitory for 400 Students			
	Building	1,300,000	(1,140,000)
	Equipment	60,000	(60,000)
		1,360,000	
Less Self-Liquidating		1,360,000	(1,200,000)
			-0-

Provides that purpose of Act is to increase cost allowance per student occupant for wholly self-liquidating projects from $3,000 to $3,400 per student occupant.] To Appropriations.

SB 360 - Introduced by White of Lenoir

"To rewrite G. S. 146-24(c) to authorize the Department of Administration to acquire land by condemnation in the manner described by Article 9 of Chapter 136 of the General Statutes of North Carolina." [Identical with HB 789 digested in the House section of Bulletin No. 58, April 28, 1967.] To Judiciary 1.

SB 361 - Introduced by White of Lenoir

"To re-write Chapter 143, Article 8, General Statutes of North Carolina." [Identical with HB 759, digested in the House section of Bulletin No. 58, April 28th.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

SB 345 - (Chatham) Introduced by Morgan

"To authorize the qualified voters of the Town of Siler City to determine whether alcoholic beverage control stores shall be operated in the Town of Siler City." [Provides that Siler City governing body may call special election to be held on date it determines, cost to be paid from general fund of Town, on questions indicated in title. New registration of voters for election not necessary; all qualified voters registered prior to registration for this election and all those who register for this election shall be entitled to vote in election. Election to be held in same manner as general election for Siler City except otherwise provided. Provides form of ballot for ABC store question.

If ABC stores approved by voters, governing body to create and appoint 3-member city ABC board to serve 3-year staggered terms; chairman of initial board to serve three years, and other two members to serve two and one years as designated; successors to serve 3-year terms; per diem and subsistence allowances to be fixed by governing body. ABC board shall have powers and duties imposed by GS 18-45 (powers and duties of county boards) and subject to powers of State Board of Alcoholic Beverage Control under GS 18-39, except GS 18-39(10) (opening and location of county stores); also Ch. 18, Art. 3 to apply (ABC Act of 1937). Provides that Siler City ABC board shall distribute quarterly from net profit remaining after payment of salaries, costs, and operating expenses and after retaining sufficient working capital, remaining profit determined by quarterly audit, as follows: 5% to town general fund for law enforcement; 60% to town general fund (10% for debt retirement, or when no debt, for any purpose for which tax and nontax revenues may be used; 10% for library, recreational or any other similar purposes; remainder for any purposes for which tax and nontax

revenues may be used); 30% to Chatham County general fund for education or other public purposes; 5% to Chatham County for law enforcement. If subsequent election held and voters are against ABC stores, ABC board shall be closed immediately and ABC board to dispose of all alcoholic beverages and property in their control, converting same into cash and turning cash into general fund of Town. Provides that no election shall be held under act within three years of previous election.] To Propositions and Grievances.

SB 347 - (Jackson) Introduced by Buchanan

"Authorizing the establishment of a town liquor control store in the Town of Sylva, Jackson County, upon a vote of the people, and providing for the allocation of net proceeds from the operation of such store." [Provides that establishment of liquor control store shall be legal in Sylva if majority so votes, in election required to be called within 60 days after petition of 15% of registered qualified voters of municipality or called on motion of town board of commissioners. No new registration to be necessary, with all qualified electors previously registered and those registering in special registration to be entitled to vote in election. Provides form of ballot; election is to be governed as municipal elections, except as otherwise provided. If subsequent election shows voters to be against ABC stores, ABC board is to close immediately and dispose of all alcoholic beverages and property in their control, converting same to cash and turning cash over to town treasurer; all laws relating to sale of intoxicating beverages within town before initial election to resume force, until a later election favors establishment of such stores. If operation of ABC store is authorized under Act, mayor and board of commissioners of town to create and appoint 3-member town ABC board to serve 3-year staggered terms; chairman of initial board to serve three years and other two members to serve two and one years as designated.

ABC board shall have powers and duties imposed by GS 18-45 (powers and duties of county boards) except 18-45(15) (expenditures from profits) and be subject to powers of State Board of Alcoholic Beverage Control under GS 18-39. Provides that net profit, determined by quarterly audit, remaining after payment of salaries, costs, and operating expenses, and after retaining sufficient working capital, to be distributed by Sylva ABC Board as follows: 5% to Sylva general fund for law enforcement; 10% each to town and county recreation commissions; general funds of town and county to divide remainder equally for any public purpose for which tax and nontax revenues may be expended.] To Propositions and Grievances.

SB 348 - (McDowell) Introduced by Norton

"To amend Chapter 291 of the Private Laws of 1909 and Chapter 388 of the Session Laws of 1953 changing the style of the name, changing the designation and fixing the salary of the governing board and relating to the election of the mayor and the governing board of the Town of Marion in McDowell County." [Amends Private Laws, 1909, Ch. 291 as follows: changes style of name to City of Marion (was Town of Marion); designates governing body as city council and members as councilmen (was aldermen) and adds authorization that councilmen be paid $25 per month (new); substitutes in lieu of old Sec. 10 (notice, registration and municipal election) new Sec. 10 providing that regular municipal election be held on Tuesday after first Monday in May 1969 and biennially thereafter, that mayor and city council be elected for 4-year terms and that at regular municipal election to be held in May, 1969 three candidates for city council receiving highest number of votes shall be elected for 4-year term and other two candidates elected to serve 2-year term with subsequently elected councilmen to serve 4-year terms. Amends 1953 Session Laws, Ch. 388, Sec. 2 to provide that each candidate

for office of city council or mayor, or any other elective office of said town shall file with town clerk a written statement giving his or her address and notice of candidacy for particular office, on or before 30th day (now, 10th) immediately preceding said municipal election. Makes requirements of this section applicable to regular municipal election to be held in Marion in May, 1969 and biennially thereafter. Provides that such elections shall be governed by laws of State applicable to municipal elections, except as otherwise provided, and by requirements of this 1953 Act as amended.] To Election and Election Laws.

SB 349 - (Edgecombe) Introduced by Bridgers

"To revise and consolidate the charter of the Town of Tarboro and to repeal prior charter acts." [As title indicates. Provides for continuation of Town of Tarboro with general municipal corporate powers, within boundaries as described by metes and bounds; also specifies boundaries of eight wards of town, which may be altered by town council in order to maintain substantial equality of population; any councilman becoming domiciled in different ward as a result of boundary change to continue as council member until term expires. Provides for town council, to consist of eight members to be elected by and from wards, and mayor to be elected at large, all serving 2-year terms; mayor to have casting vote only; spells out organization and procedures of council; requires affirmative votes of majority of members of council present (a quorum being a majority of elected members), or in cases of ties, votes of mayor and one-half of members present; requires yeas and nays on all bond, budget and franchise ordinances, and requires votes at two regular meetings of council for approval of franchise ordinances, with 15 days' newspaper notice prior to second vote. Provides for elections to be conducted in accord with general laws relating to municipal elections, with nominations by filing of candidacy procedure, with $5 filing fee. Provides for selection of town manager by council as chief administrative officer, who need not reside in town at time of appointment; manager to appoint all town officers and employees except town attorney (to be appointed by council); specifically provides for appointment by manager of town clerk, treasurer, tax collector and accountant, and authorizes council to consolidate any two or more of such offices or functions thereof. Provides for annual independent audit, and for payment into general fund of delinquent taxes collected subsequent after end of second fiscal year following year of levy; authorizes annual appropriations from non-tax funds of not over $10,000 for industrial and agricultural development and appropriations from non-tax funds for historical purposes; council may create historical commission for advisory purposes or to maintain and operate historical sites. Authorizes council to dispose of surplus personal property up to $500 value at private sale without bids, between $500 and $2,000 value to highest bidder on informal written bids, and over $2,000 to highest bidder on sealed bids. Gives town police one mile extraterritorial jurisdiction, and jurisdiction in Town of Princeville and on all town facilities and property wherever located; authorizes police to serve all civil and criminal process anywhere within Edgecombe County. Authorizes street assessments without petition where project not over 3,000 feet long, street unsafe for traffic, to connect two streets, or to widen existing streets. Grants to town council mapped street authority (power to plat projected street lines on official map and acquire property within such street lines at unimproved value). Authorizes town council to assess cost of sidewalk improvements against abutting owners, and to repair or clean sidewalks and clean or remove weeds or refuse at expense of abutting owners (with cost of such repairs and cleaning or removal to be a lien against abutting owner). Authorizes council to include mains and laterals in water or sewer line extensions, and to include costs thereof in assessments; permits council to provide for corner lot exemptions from water and sewer assessments when lines installed along both sides of lots, with exemptions classified according to land uses (with no more than 150 feet or 75% of frontage on any side exempted); authorizes

acreage charges for connections to town water and sewer systems to aid in financing mains, outfalls and laterals. Authorizes inclusion in subdivision control ordinance of requirements for construction of necessary town facilities, and authorizes one mile extraterritorial jurisdiction for town regulatory codes. Authorizes council to purchase liability insurance covering all authorized functions and negligence of officers and employees within scope of employment; permits waiver of town governmental immunity to extent of insurance purchased; permits town to pay premiums on all authorized insurance from tax or other sources. Requires claims against town to be presented within 90 days after accrual of cause of action; places one-year limitation on suits against town, with special provisions concerning incapacity and minority. Authorizes town manager to settle personal injury claims against town up to $100, and taking of small portions of property needed for rounding of corners up to $500. Sets forth various savings clauses and repeals 107 specific acts.] To Local Government.

SB 350 - (Edgecombe) Introduced by Bridgers
"To amend G. S. 160-29 as it relates to elections in the Town of Tarboro." [Adds Tarboro to communities governed by provision of Ch. 160, Art. 3 (elections regulated).] To Local Government.

NOTE: Digests for additional local bills introduced tonight (SB 351 - 378) will be included in tomorrow's bulletin.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 163 - County welfare fund transfers, as amended in Senate 4/28 Postponed to May 2.
SB 198 - Savings and loan shares. Passed second and third readings.
SR 344 - (Joint Resolution) Memorializing Stanford. Passed second and third readings.
SR 346 - (Joint Resolution) Toasting Toastmasters. Passed second and third readings.
SR 356 - (Sen. Resolution)Thanking WPTF. Passed second and third readings.

HB 150 - Onslow tech. Postponed to May 2.
HB 316 - Militia amendment. Received from House; sent to Veterans and Military Affairs.
HB 346 - Real estate license amendments. Passed second reading.
HB 418 - Dental board hearing. Received from House; sent to Public Health.
HB 419 - Dental board license revocation. Received from House; sent to Public Health.
HB 468 - Veteran's guardianship changes. Received from House; sent to Veterans and Military Affairs.
HB 501 - Exec. Mansion Fine Arts Comm. Received from House; passed second and third readings.
HB 505 - Fiduciary's allocating expense. Received from House; sent to Judiciary 1.
HB 544 - Realty broker licenses. Received from House; sent to Judiciary 1.
HB 548 - Veteran's employment preference. Received from House; sent to Veterans and Military Affairs.
HB 574 - General Assembly compensation. Received from House; sent to State Gov.
HB 635 - Commercial driver training. Received from House; sent to Highway Safety.

LOCAL BILLS

SB 204 - (Transylvania) Brevard ABC elections. Passed.
SB 220 - (Cleveland) Kings Mt'n. officials salaries. Passed.
SB 235 - (Camden) Commissioners salaries. Passed.
SB 236 - (Camden) Coroner compensation. Passed.
SB 237 - (Camden) Comm'rs to fix employee pay. Passed.'
SB 244 - (Camden) Additional sheriff's pay. Passed.

SB 273 - (Union) Monroe salaries. Passed.
SB 283 - (McDowell) Officials pay. Passed.
SB 284 - (McDowell) Commissioners pay. Passed.
SB 298 - (Bladen) Library tax levy. Passed third reading.
SB 300 - (Onslow) Beer license collections. Passed.
SB 306 - (Guilford) High Point council pay. Passed.
SB 311 - (Camden) School board compensation. Passed.
SB 312 - (Stanly) Vocational workshop funds. Passed.
SB 315 - (Polk) Ambulance aid. Passed.
SB 316 - (Polk) Columbus land sale. Passed.
SB 317 - (Polk) Commissioners' salaries. Passed.
SB 318 - (Polk) Deeds register tax collecting. Passed.
SB 322 - (Carteret, Craven, Pamlico) Trash removal regulation. Passed.
SB 323 - (Carteret, Craven, Pamlico) Abandoning domestic animals. Passed.

HB 329 - (Mecklenburg) Huntersville officers' pay. Passed.
HB 369 - (Duplin) Officials' pay. Passed.
HB 373 - (Duplin) Homestead fees. Passed.
HB 374 - (Duplin) Sheriff prisoner feeding fee. Passed.
HB 376 - (Franklin) School board compensation. Passed.
HB 416 - (Surry) Commissioners' compensation. Passed.
HB 430 - (New Hanover) Officials' salaries. Passed.
HB 444 - (Anson) Welfare board per diem. Passed.
HB 484 - (Forsyth) County officials compensation. Passed.
HB 526 - (Buncombe) School board elections. Passed.
HB 530 - (Mecklenburg) Pineville water and sewer. Received from House; sent to Counties, Cities and Towns.
HB 569 - (Harnett) Lillington officials pay. Received from House; sent to Salaries and Fees.
HB 583 - (Buncombe) Medical examiner. Received from House; sent to Public Health.
HB 589 - (Rockingham) County debt service transfer. Received from House; sent to Counties, Cities and Towns.
HB 597 - (Guilford) High Point civil service. Received from House; sent to Counties, Cities and Towns.
HB 601 - (Johnston) Commissioners salaries. Passed.
HB 605 - (Iredell) Watershed tax. Received from House; sent to Counties, Cities and Towns.
HB 620 - (Catawba) Soil & water funds. Received from House; sent to Counties, Cities and Towns.
HB 649 - (Gates) Tax collector appointment. Received from House; sent to Counties, Cities and Towns.
HB 652 - (Vance) Henderson flouridation vote. Received from House; sent to Counties, Cities and Towns.
HB 663 - (Alamance) Burlington salary limit. Received from House; sent to Counties, Cities and Towns.
HB 669 - (Guilford) Bail bondsmen. Rec'd from House; sent to Counties, Cities and Towns.
HB 670 - (Ashe) Commissioner's number. Received from House; sent to Counties, Cities and Towns.
HB 671 - (Ashe) West Jefferson aldermen vote. Received from House; sent to Counties, Cities and Towns.
HB 676 - (Dare) Roanoke Island birds. Received from House; sent to Counties, Cities and Towns.
HB 684 - (Wake) Abandoning domestic animals. Rec'd from House; sent to Judiciary1.
HB 688 - (Rowan) Auditor appointment. Received from House; sent to Counties, Cities and Towns.
HB 692 - (Martin) Williamston garbage land. Received from House; sent to Counties, Cities and Towns.
HB 694 - (Wilkes) Clingman school property. Received from House; sent to Edu.
HB 696 - (Caswell) Disbursement publication. Received from House; sent to Counties, Cities and Towns.
HB 697 - (Caswell) Budget publication. Received from House; sent to Counties, Cities and Towns.
HB 845 - (Martin) Hamilton ballot marking. Received from House; passed second and third readings.

Next session of Senate: 12 noon, Tuesday, May 2, 1967.

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BULLETIN NO. 59
Monday, May 1, 1967

Note: The House convened at 9:00 a.m., Saturday, April 29, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 814 - Introduced by Messer
To amend G.S. 20-185 to provide for certain benefits for driver license examiners." [Adds to cited section provision granting to all driver license examiners (including chief examiner and supervisors same benefits as members of State Highway Patrol under subsections (b) - (e) of section (payment of salary to patrol members during term of employment, notwithstanding total or partial incapacity).] To State Personnel

HB 822 - Introduced by Greenwood
"To amend Chapter 944 of the 1965 Session Laws to provide changes only with respect to projects wholly self-liquidating." [Identical to SB 358, digested in the Senate section of today's Bulletin.] To Appropriations.

HB 823 - Introduced by Greenwood
"To amend Chapter 635 of the 1965 Session Laws to provide changes with respect to projects wholly self-liquidating." [Identical to SB 357, digested in Senate section of today's Bulletin.] To Appropriations.

HB 824 - Introduced by Greenwood
"To amend Chapter 916 of the 1965 Session Laws to provide changes only with respect to projects wholly self-liquidating." [Identical to SB 359, digested in Senate section of today's Bulletin.] To Appropriations.

HB 834 - Introduced by Whitley of Guilford and others
"To appropriate funds for High Point Historical Commission for erection of a historical museum." [Appropriates to High Point Historical Commission, $75,000 for construction and equipping of a historical museum on Haley property in City of High Point.] To Appropriations.

HB 847 - Introduced by Gunn
"Amending G.S. 130-129 so as to increase the compensation of members of the board of sanitary districts." [Amends GS 130-129 to set compensation of sanitary district boards at $12 (now, $8) per day when engaged in business of district.] To Salaries and Fees.

HB 857 - Introduced by Stanford
"To extend for two years the authority of the University of North Carolina to provide service and auxiliary facilities and to issue revenue bonds to pay the cost thereof." [Amends SL 1965, Ch. 1033 (codified as GS 116-41.4) to authorize issuance of revenue bonds by UNC Trustees for financing of University Enterprises during biennium ending June 30, 1969 of not to exceed $3,500,000 (cited act authorized same amount of bonds during biennium ending June 30, 1967).] To Finance.

HB 874 - Introduced by Hutchins
"Amending G.S. 105-116, relating to franchise taxes on public utility companies, to provide that the Commissioner of Revenue shall distribute to municipalities from taxes collected on sales within municipalities an amount equal to three per cent (3%) of such sales instead of the present 3/4 of 1%." [Effective July 1, 1967 amends GS 105-116 (g) to require Commissioner of Revenue to ascertain

total gross receipts derived from sale within any municipality of electric light, power, street railway, street bus and piped gas services on which franchise tax imposed under act, and out of tax of 6% of gross receipts levied by section (on all but gas), distribute to each municipality an amount equal to a tax of 3% (now 3/4 of 1%) of gross receipts from sales within municipality; out of 4% tax on first $25,000 of gross receipts of gas companies an amount equal to a tax of 3% (now, 3/4 of 1%) of gross receipts from sales within municipality, and out of 6% tax of such gross receipts in excess of $25,000, an amount equal to a tax of 3% (now, 3/4 of 1%) of gross receipts from sales within municipality, shall go to such municipality.] To Finance.

HB 875 - Introduced by Hutchins and others

"To require the North Carolina Motor Vehicles Department to prepare, maintain, and make available to the public copies of accident reports investigated by the members of the North Carolina State Highway Patrol in the various districts of the State Highway Patrol in North Carolina." [Amends GS 20-183.1 (enumeration of public rights and duties in regard to use of highways and legislative declaration of policy in regard thereto) to declare it as policy under the act, "to make readily accessible and available to the public reports of accidents investigated and prepared by members of the North Carolina State Highway Patrol."] To Judiciary 1.

HB 890 - Introduced by Twiggs

"To grant jurisdiction to the North Carolina Utilities Commission as it relates to mobile radio common carriers." [Adds "Mobile Radio Common Carrier" to those means for conveying messages the owning or operation of which is defined as a public utility under GS 62-3 (23) 6. Creates new article entitled "Mobile Radio Common Carriers" making following provisions: "Radio common carriers" or "mobile radio common carriers" include owner, operators, or managers of mobile radio common carrier or public "for-hire" mobile radio service (mrs) engaged in business of providing a service of radio communication by any means, not including land telephone or telegraph utility regulated by Public Utilities Commission. Radio common carrier (rcc) must obtain certificate of public convenience and necessity from Commission before beginning or continuing construction of mrs (not to require certificate for extension within existing authorized service area or area otherwise appropriate in various enumerated ways). Commissioners authorized to prescribe rules and regulations on issuance of certificates. Person engaged in operation of rcc licensed by FCC on effective date of article is to receive certificate from Commission authorizing continued operation in territory served if person files application and copies of FCC licenses with Commission within 60 days of effective date. Commission not to grant certificate to proposed rcc to overlap area of existing rcc unless satisfied that existing service is inadequate and existing rcc after hearing fails to provide such service. Certified rcc may interconnect with telephone facilities of telephone company serving same area if agreement can be reached between them, or if that fails, by order, with reasonable terms of Commission after petition. Article does not apply to mobile radio telephone service offered by land line telephone or telegraph utilities regulated by Commission.] To Public Utilities.

HB 891 - Introduced by McKnight

"To restrict the use of parking lights in the operation of a vehicle." [Adds to GS 20-129(a) (requiring lighted front and rear lamps on vehicles during certain hours) prohibition against operation of vehicles on highways of State with parking lamps lighted unless being used as turn signals or when head lamps also lighted.] To Highway Safety.

HB 893 - Introduced by Bryan

"To provide for issuance of certificates of title to owners of self-propelled farm implements manufactured or first sold after January 1, 1968." [Declares that distribution of self-propelled farm implements in State affects general economy and welfare and that necessary to regulate and license implement manufacturers, distributors, dealers, salesmen and their representatives doing business in State in order to present frauds and abuses. Defines "self-propelled farm implement" as any farm implement constructed to operate on self-contained power unit designed to be used in conduct of "agricultural operations" including farm tractors, self-propelled grain or bean combines, pickup bailers, corn pickers, field forage harvesters, hay conditioners, peanut combines, tobacco harvesters and cotton pickers. Defines "Manufacturer's Certificate" as certification on form approved by Dep't of Motor Vehicles signed by manufacturer indicating name of person or dealer to whom transferred, date of transfer, that transfer is first in ordinary trade and commerce, and description of implement including make, model, numbers and other information that Dep't may require. Makes all self-propelled farm implements used in State subject to registration if: manufacturer or assembled after January 1, 1968, first sold in NC after January 1, 1968, or purchased in another jurisdiction after January 1, 1968, and brought into NC for principal use. Exempts motor vehicles subject to registration under GS Ch. 20, Art. 3 and "garden implements" from registration requirements. Defines "garden implement" as implement of less than 15 rated drawbar horsepower which is designed and sold for use by individuals in cultivation of private gardens. Exempts implements here required to be registered from financial responsibility provisions of GS Ch. 20, Articles 9A and 13.

In all essential respects the provisions of GS Ch. 20, Article 3, Part 3 (Registration and Certificates of Titles of Motor Vehicles) and Part 4 (Transfer of Title or Interest) are copied except with respect to additions, deletions, or modifications noted below: Provides that upon sale of new implement by dealer to consumer-purchaser, dealer to execute in presence of person authorized to administer oaths an assignment of the manufacturer's certificate of origin including the name and address of transferee; no title to pass unless such assignment executed and implement delivered to transferee. Provides that dealer transferring title to or interest in new implement to deliver manufacturer's certificate of origin duly assigned to transferee at time of delivering implement, except that where security interest obtained in implement from transferee in payment of purchase price transferor to deliver manufacturer's certificate of origin to lienholder and lienholder to forward certificate of origin together with transferee's application for certificate of title and necessary fees to Dep't. Makes delivery or acceptance of manufacturer's certificate of origin assigned in blank misdemeanor. Requires manufacturer's certificate to contain manufacturer's serial number. Deletes all references to requirements of, and methods of obtaining registration plates. Requires owners to make application for registration, certificate of title and registration card within 20 days from date of purchase. Sets $5 penalty for failing to apply in alloted time. Deletes requirement that registration card be carried in implement at all times. Specifies that certificates of title be delivered or mailed to owner or if liens indicated, to holder of first lien. Makes misdemeanor for lienholder holding certificate of title to refuse or fail to surrender such certificate of title to person legally entitled thereto when called upon within 10 days after his lien has been paid and satisfied; person convicted to be fined up to $50 or imprisoned up to 30 days. Makes provisions with respect to perfecting and giving notice of security interests effective as to security interests entered into on or after January 1, 1968. Specifies that Comm'r may destroy record of certificate of title upon receipt of certificate of title and notice from owner that implement has been dismantled, junked, or destroyed. Changes from 10 to 60 days the time during which owner must notify Comm'rs of change of address. Specifies that it is misdemeanor to deface, destroy or alter manufacturer's serial number or other identifying number or to place or stamp any serial number except one assigned by Dep't. Makes misdemeanor to knowingly buy, receive, dispose of, sell, offer for

sale, conceal, or possess implement with defaced serial number. Makes provisions with respect to executions of assignments applicable to foreclosures under chattel mortgages. Raises from $2 to $5 penalty for failure to apply for transfer of title within 20 days after acquiring previously registered implement; deletes provision that these penalties to be remitted to State Highway Fund. Deletes storage lien now provided for motor vehicles pursuant to GS 20-77(d)(1), (2), (3) and (4) but retains (5) requirement that person storing make report to Dep't.

Retains special fee exemptions for implement owned by State now given by Part 6 (Vehicles of Nonresidents of State, etc.). Sets fees for issuance of certificates and transfer of registration as follows: (1) application for certificate and registration card - $5; (2) application for duplicate or corrected certificate of title - $5; (3) application for duplicate registration card - $1; applicatio for recording supplementary lien - $1; application for removing lien from certificat of title - $1. Requires every manufacturer or dealer to keep record of all implements received or sold as Dep't may require.

Incorporates (properly conformed) following sections of GS Ch. 20, Part 8 (Anti-Theft and Enforcement Provisions): GS 20-106, GS 20-106.1, GS 20-110 (d), (h), (i) and (k), GS 20-112, GS 20-114(a). Specifies that Dep't to take possession of any certificate of title or registration card issued by it upon cancellation thereof or which is fictitious or which has been unlawfully or erroneously issued or used. Provides that no implement shall be sold by any law enforcement officer or by any person claiming a mechanic's or storage lien or under judicial proceedings until notice on a form approved by Comm'r has been given to Comm'r at least 20 days before date of sale. Makes violations of any section misdemeanor (unless specifical declared felony) punishable by fine up to $100 or by imprisonment up to 60 days or both (unless another penalty specifically set out). Makes manufacturers, distributors, dealers, and salesmen of implements subject to provision of GS Ch. 20, Article 12 (Motor Vehicle Dealers and Manufacturers Licensing Laws). Exempts self-propelled farm implements from GS 14-401.4 (identifying marks on machines and apparatus). Effective January 1, 1968.] To Judiciary 2.

HR 894 - (Joint Resolution) Introduced by Andrews

"Honoring the life and memory of Mrs. Charles W. Stanford of Redfields, Route 1, Chapel Hill, North Carolina." [Identical with SR 344, digested in Senate section of today's Bulletin.] Postponed indefinitely.

LOCAL BILLS INTRODUCED -- HOUSE

HB 807 - (Alamance) Introduced by Pickard

"To amend Chapter 119, Session Laws of 1961, relating to the time to hold the polls open on election day in City of Burlington in Alamance County." [Deletes from SL 1961, Ch. 119 provision that hours of 6:30 a.m. to 6:30 p.m., during which polls shall be open in municipal elections, shall be "Eastern Standard Time".] To Judiciary 2.

HB 808 - (Alamance) Introduced by Pickard

"To amend Chapter 119, Session Laws of 1961 to authorize the creation and organization of a housing commission to which appeals may be taken from the decision of the building inspector upon any provision of the housing code of the City of Burlington in Alamance County." [Amends SL 1961, Ch. 119 to add new article authorizing Burlington council to create housing commission. (1) Commission to consist of seven members to serve 3-year staggered terms. (2) Any person aggrieved by decision of building inspector upon city housing code, or any officer, board or commission of city may appeal to housing commission using prescribed filing procedures and complying with rules made by housing commission. (3) Upon such appeal building inspector to transmit to commission all papers constituting record upon which decision appealed from was made. (4) Appeal from decision of inspector requiring aggrieved party to do an act shall have affect of suspending order until

hearing unless inspector certifies suspension would cause imminent peril to life or property in which case order not to be suspended unless by restraining order of commission or by Superior Court. Appeals from decision of inspector refusing to allow aggrieved party from doing an act shall remain in force until modified or reversed. (5) Commission to act within reasonable time of appeals and party may appear in person or by agent or attorney. (6) Commission may reverse, affirm in whole or part, or may modify decision appealed from and to have powers of building inspector, but concurring vote of four members of commission to be necessary to reverse or modify any decision of inspector. Cases of practical difficulty or unnecessary hardship in complying with strict letter of housing code may be treated in terms of code spirit. Commission decisions to be subject to review by Superior Court by certiorari instituted within 15 days of decision. (7) Failure to comply with order of inspector to repair, alter, improve, vacate, close or demolish a building after commission ordered inspector to proceed with respect to such order shall empower inspector to carry out order with the costs of doing so to be a lien against real property involved.] To Judiciary 2.

HB 809 - (Alamance) Introduced by Pickard

"Prohibiting the attaining of ambulance service without the intent to pay therefor in Alamance County." [Makes it misdemeanor to obtain ambulance services in with intent to defraud by not intending at time of obtaining services to pay, if financially able, reasonable charges therefor. Determination by court that recipient of service has wilfully failed to pay for 90 days after request for payment, and that recipient is financially able to do so, to raise presumption that recipient obtained services with intent to defraud and did not intend to pay therefor. Punishment to be by fine or imprisonment in discretion of court.] To Judiciary 2.

HB 810 - (Alamance) Introduced by Pickard

"To provide for the nomination and election of members to the Board of Education of Alamance County." [Provides that board of education (board) to consist of five members nominated and elected by voters of entire county for staggered 4-year terms as follows: in 1968 primary and general election for county officers, three members to board to be nominated and elected to serve 4-year term; in 1970 primary and general election, two members to board to be nominated and elected to serve 4-year term; in 1972 primary and general election, and biennially thereafter, members to be nominated and elected to board to replace members whose terms expire. Elections to be held and conducted at same time and under same laws and regulations pertaining to nomination and election of county officers as set out in GS Ch. 163. If number of candidates of political party filing notice of candidacy is less or equal to number of offices to be filled, candidates to be declared nominees for party and no primary election to be held, with nominees' names appearing on general election ballot. Vacancies on board to be filled for remainder of unexpired term by county executive committee of political party to which member causing vacancy belongs. Board to hold organizational meeting on first Monday in December, 1968, and biennially thereafter, and to elect chairman and other officers. Members elected in 1968, and thereafter, to qualify by taking oath of office on first Monday in December, at which time their term of office begins. Term of office of present board members whose terms expire in April 1968 and April 1971, to be continued to first Monday in December, 1968 at which time their terms shall end. Term of office of present members whose terms expire in April, 1973 to continue until first Monday in December, 1970.] To Education.

HB 811 - (Moore) Introduced by Auman by request

"Authorizing the on-premises sale and consumption of alcoholic beverages in McNeill, Sandhill and Mineral Springs Townships in Moore County, upon a vote of the people." [Substantially similar to SB 182 digested in detail in the Senate section of Bulletin No. 36, March 29, except that it establishes procedures for referendum, licensing and supervision of on-premises sale and consumption of

of alcoholic beverages in three designated townships of Moore County under a special act rather than in the State as a whole under a general law. Administrative powers granted by SB 182 are in HB 811 generally given to the Alcoholic Beverage Control Board of Moore County. License fees are prescribed at same amounts as in SB 182 but go solely to general fund of county rather than half to State and half to county or city establishing on-premises sale under procedures of SB 182. Definition of types of "clubs", "hotels", and "restaurants" where on-premises sale can be licensed under HB 811 differ from their counterparts in SB 182 principally as follows: Clubs not required, as in SB 182, to have minimum membership of 200 or to maintain a dining room for members and guests; minimum number of bedrooms in hotels set at 25, SB 182 requires 50, and dining room of such establishment required to seat at least 35 persons at one time, SB 182 requires 75; minimum seating capacity of restaurant set at 35, SB 182 requires 75, and authority is given to sell anywhere on the premises where food service is regularly available, while, under SB 182, sale of alcoholic beverages is specifically confined to dining rooms of the establishment.] To Propositions and Grievances.

HB 812 - (Johnston) Introduced by Britt

"To authorize the holding of courts and the location of county offices in buildings in Johnston County as designated by the County Commissioners." [Authorizes holding of courts in any Smithfield building designated by commissioners; authorizes county commissioners to locate county offices anywhere in County.] To Judiciary 2.

HB 813 - (Haywood) Introduced by Messer

"Amending Chapter 446, Session Laws of 1963 relating to the compensation of the members of the Board of County Commissioners of Haywood County." [Sets annual compensation for members of board at $1,500 (was $1,200). Effective July 1, 1967.] To Local Government.

HB 815 - (Jackson, Swain, Transylvania) Introduced by Taylor

"To amend Chapter 152A relating to the county medical examiner system so as to include Jackson, Swain, and Transylvania Counties within its provisions." [Adds captioned counties to list of counties authorized to appoint county medical examiner to serve pursuant GS 152A provisions.] To Local Government.

HB 816 - (Swain) Introduced by Taylor

"To provide for the election of the Board of Education of Swain County, (notwithstanding provisions of Article 5, Chapter 115 of General Statutes.)" [Board of education (board) to consist of seven members, elected by voters of districts herein provided. Present board members to continue to hold offices until terms expire or successors elected, whichever occurs first. Districts to be composed of following precincts, and to elect following number of members: District 1. Bryson City One, Bryson City Two, 3 members; District 2. Almond, White Oak, 1 member; District 3. Aliaka, 1 member; District 4. Ela, Whittier, 2 members. With 1968 general election, and each general election quadrennially thereafter, seven members of board to be elected in nonpartisan election held at same time and at same places as regular general election. Any registered elector of County residing in county shall, upon payment of $10 filing fee, be eligible to file with county board of elections, within specified time period, as candidate for membership on board without declaring his political affiliation, provided that names of candidates for election shall not appear on any ballot in primary election, but shall appear only in general election. Separate ballots to be used in election and all voters qualified to vote in general election in said districts to be eligible to vote in election. Number of candidates, equal to number of vacancies, who receive highest number of votes cast in respective districts to be declared elected for 4-year terms, unless such candidate is announced candidate to fill unexpired term created by vacancy. Vacancies to be filled within 30 days by

appointment by remaining members of board for unexpired term, or until next general election, whichever occurs first. Board shall in all other respects, not inconsistent with act, be governed by procedures, powers and duties of boards of education as provided by law. GS Ch. 115, Art. 5 (County and City Boards of Education), to extent in conflict with act, not to apply to Swain County.] To Education.

HB 817 - (Henderson) Introduced by Garren

"To provide for the election of the Board of Education of Henderson County." [Provides for election of 7-member county board of education upon expiration of terms of current board members. Provides that beginning with 1968 county primary and biennially thereafter, forthcoming vacancies on education board to be filled by non-partisan election held at time of primary; any resident registered county voter eligible for election to board membership by paying $5 fee within time required for filing for primaries. Election to be held by separate ballot with those receiving highest vote elected; no second primaries to be held; vacancies to be filled by remaining board within 30 days; after 30 days default appointment by State Board of Education. Henderson Board of Education in all other respects governed by GS Ch. 115 (relating to elementary and secondary education).] To Education.

HB 818 - (Duplin) Introduced by Johnson

"Amending the Charter of the Town of Wallace in Duplin County." [Amends SL 1949, Ch. 596 (Charter of Wallace) by adding new sec. 25(a) providing that no one may maintain tort claim without pleading and proving as condition precedent to maintenance of claim that written notice stating date, place, manner, and character of injury; names and addresses of injured; and amount of damages claimed, has been served by registered or certified mail or by law enforcement officer of Duplin County or Wallace on Mayor or Town Clerk within 90 days of occurrence of facts giving rise to claim.] To Local Government.

HB 819 - (Lenoir) Introduced by Elliott by request

"To amend Chapter 801 of the Session Laws of 1961 relating to appropriations to the Industrial-Agricultural Development Commission of Lenoir County so as to eliminate restrictions as to maximum appropriations." [As title indicates (now, amount of such appropriations limited to $30,000 annually).] To Local Government.

HB 820 - (Buncombe) Introduced by Harkins

"To prohibit the hunting of deer on or from certain highways in Buncombe County." [Makes misdemeanor to hunt, kill or take deer from right-of-way of I-40 and I-26 highways in Buncombe County. Punishable by fine or imprisonment in court's discretion.] To Wildlife Resources.

NOTE: Digests for additional local bills introduced tonight (HB 821 - 897) will be included in tomorrow's bulletin.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 83 - Teachers summer expenses. Received from Senate; sent to Finance.
SB 126 - Bakery license tax. Received from Senate; sent to Finance.
SB 155 - Chain store tax exemption. Received from Senate; sent to Judiciary 1.
SB 161 - Equitable "Safe Driver Plan". Amendments adopted to require Comm'r of Insurance to distinguish between drivers actually having safe driving records and those having a record of major and minor traffic violation convictions for purpose of "Safe Driver Award Plan" and to change

effective date of act to January 1, 1968 (from original September 1, 1967). Passed second and third readings.

SB 162 - Car financial responsibility, as amended in Senate 4/21. Postponed to 5/2.

SB 238 - Exec. Mansion Fine Arts Comm'n. Received from Senate; postponed indefinitely

SB 252 - Commission on women. Received from Senate; sent to Appropriations.

SB 262 - School damage rewards. Received from Senate; sent to Education.

SR 344 - (Joint Resolution) Memorializing Stanford. Received from Senate; passed second and third readings.

SR 346 - (Joint Resolution) Toasting toastmasters. Received from Senate; passed second and third readings.

HB 268 - Chiropractic amendments, as amended in Senate 4/28. Received for concurrence in Senate amendment; concurred.

HB 290 - Drivers license surrender, as amended in House 3/24 and 3/28 and in Senate 4/28. Received for concurrence in Senate amendment; postponed to 5/2

HB 420 - Dental hygienist fees. Passed third reading.

HB 465 - 7% interest rate. Reported favorably as to committee substitute; committee substitute adopted which adds to original bill provisions that 7% interest rate on secured residential loans be simple interest on unpaid balance and that residential loans may be prepaid by borrower in part or in full on 30 days notice to lender with a maximum prepayment penalty of 1% of outstanding principal balance if made within first three years of loan life and at no penalty thereafter and deletes requirement that residential property used to secure loans be owned by borrower; provides that interest on direct reduction loan may be charged on principal due after each installment payment.

HB 587 - Bang's disease. Passed second and third readings.

HB 654 - Ambulances not for-hire. Passed second and third readings.

LOCAL BILLS

SB 299 - (Onslow) Property tax refunds. Received from Senate; sent to Counties, Cities and Towns.

HB 575 - (Moore, Lee) Cameron fire district. Passed third reading.

HB 643 - (Dare) Mosquito control. Passed third reading.

HB 685 - (Pender) Topsail tax rate. Passed third reading.

HB 689 - (Burke) Morganton charter changes. Passed third reading.

HB 845 - (Martin) Hamilton election ballots. Passed second and third readings.

Next session of House: 12 noon, Tuesday, May 2, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 60
Tuesday, May 2, 1967

Note: The bill digests which follow next are for local bills carried over from last night's bulletin (Bulletin No. 59). Digests for today's bills follow in order immediately thereafter.

Session: Senate -- 8:00 p.m., May 1

LOCAL BILLS INTRODUCED -- SENATE, 8:00 P.M. SESSION, MAY 1

SB 351 - (Montgomery) Introduced by Allen

"To amend G.S. 1-42.1 relating to certain mineral claims." [Modifies section (extinguishing certain ancient claims to mineral rights) providing that in Montgomery County all oil, gas, or mineral interests in lands severed from surface fee simple ownership must be listed for ad valorem taxes and notice of such interest must be filed in writing in manner provided by G.S. 1-42.1(b) and recorded in local registry in book provided by GS 1-42 within two years from Sept. 1, 1967 to be effective against surface fee simple owner or creditors, purchasers, heirs, or assigns of such owner. Notice shall be effective for five years from date of filing with register of deeds and may be filed successively as long as such subsurface interest is claimed by one other than surface owner. Board of county commissioners shall publish notice of this subsection in newspaper published in county or having general circulation in the county once weekly for four consecutive weeks prior to Sept. 1, 1967.] To Judiciary 2.

SB 352 - (Montgomery) Introduced by Allen

"To provide for the salaries of the members of the Board of Commissioners and for the mayor of the Town of Mount Gilead." [Provides that cited officials shall receive $10.00 for each meeting of Board of Commissioners attended, not to exceed $300 yearly, and receive no other compensation from town. Effective July 1, 1967. Identical with HB 829.] To Salaries and Fees.

SB 353 - (Gaston) Introduced by Rauch

"To provide for the reorganization and consolidation of the Gastonia City Board of Education, the Cherryville City Board of Education and Gaston County Board of Education, and to create and establish one administrative board for all or the public schools in Gaston County." [Provides for consolidation of city and county schools, subject to referendum. Provides that New Gaston County Board of Education (Bd.) to consist of nine members, five at large and four from Gaston County School Planning Areas I-IV, which Areas are to be defined by board of county commissioners using enumerated criteria, all to be elected at large. Establishes Interim Gaston County Board of Education (Inter Bd.) to administer system until Bd. is established, constituted as follows: six, four, and two members appointed by full memberships of existing boards of education of Gaston County, Gastonia, and Cherryville, respectively, to serve until successors qualify after first election. In election in 1968, nine candidates, allocated as described above, receiving highest numbers of votes shall be elected, in nonpartisan

election; the three with highest number of votes for terms of six years, next most popular group of three for 4-yr. terms, and remainder for 2-year terms, with vacancies to be filled at biennial nonpartisan elections thereafter as vacancies occur. Nominations to be by filing of candidacy procedure, with $10 filing fee. Vacancies occuring other than by reason of expiration of term to be filled by board from area in which vacancy occured. Makes provisions for organization of Inter Bd. and provides that Inter Bd. and Bd. to control, administer, and operate all public schools in Gaston County and exercise all powers and duties of city and county boards of education and as provided in GS Ch. 115 (Education). Inter Bd. to assume control on first Monday following certification of elections if voters approve this act in referendum, as provided, and meet then to organize. Provides for submission of budgets, etc. to County Commissioners and approval power over same, and tax levying power for school purposes not to exceed levy authorized by vote. Disputes on budgets or levies between Inter Bd. and Bd. of Commissioners to be resolved per procedure of GS 115-87 and 88. Nothing in act is to affect supplemental tax of existing unit for school purposes until tax for all Gaston Schools is approved per act. Provides that in '69 and subsequent years at time of budget filing, Bd. shall file supplemental budget and shall request sufficient levy on all taxable property in Gaston not to exceed voted rate, which board of commissioners may approve or disapprove with disagreements to be resolved per GS 115-87,88 procedures. Bd. shall appoint treasurer of school funds who shall not be one authorized to make expenditures or draw funds for fund and who shall give performance bond of not less that $25,000. Sums appropriated by board of commissioners for capital outlay, current expenses and supplementing current expense fund from state and county allotments shall be paid over to treasurer of Bd. at reasonable periods after receipt by proper official, except commissioners shall hold and administer school bond sale proceeds as now provided. Monthly payroll need be signed by only principal of school for which intended, and not by committee chairman. Vice chairman of Bd. to have same power to execute authorized contracts as chairman. Superintendant of schools to be ex officio secretary of Bd. and Bd. may elect assistant secretary who may be Bd. member. Bd. may employ associate superintendents and assistant superintendents and other administrative officers deemed necessary and proper and prescribe duties with terms of associate superintendents not to exceed term of superintendent. Bd. may delegate to superintendent of schools or to associate or assistant superintendents or to other administrative officers authority to employ and prescribe duties of other employees and to fix compensation within limits prescribed and to determine periods of employment. Compensation of administrative officers of Bd. to be fixed by Bd. Bd. may from local supplement pay supplement to State compensation. Bd. may appoint school committees or, if it does not do so for all schools, may perform functions of such committees. All property, claims, obligations, and liabilities shall pass from boards existing to new board. All unexpended taxes from levies within presently existing boards shall be paid by auditor to treasurer of Bd. as soon as practicable. Funds now being paid to existing boards to be paid to Inter Bd. when it assumes authority and to Bd. on and after first Monday in Dec., 1968. Compensation of Bd. and Inter Bd. to be $15 per meeting not to exceed 12 meetings per year. County board of elections within 60 days after ratification of this Act shall initiate election process and set up date and time of election. Provides for election on question of reorganization of school boards and supplemental school tax in Gaston County not to exceed 50¢ on $100 assessed valuation and provides form of ballot. If majority favors such reorganization preceeding act to be operative. Provides general repealer of conflicting laws.] To Education.

SB 354 - (Alamance) Introduced by Scott

"To authorize and empower the City of Burlington to sell by private sale certain lands in said city generally known and designated as Fairchild Airport." [Authorizes sale of lands as title indicates by general warranty deeds.] To Counties, Cities and Towns.

SB 362 - (Lenoir) Introduced by White

"To amend Chapter 801 of the Session Laws of 1961 relating to appropriations to the Industrial-Agricultural Development Commission of Lenoir County so as to eliminate restrictions as to maximum appropriations." [Eliminates restriction to $15,000 each on annual appropriations from Lenoir County Commissioners and Kinston Council to cited commission.] To Counties, Cities and Towns.

SB 363 - (Stanly) Introduced by Boger and Griffin

"To amend Chapter 102 of the Session Laws of 1957, as amended, establishing a supplementary pention fund for firemen in the City of Albermarle, North Carolina." [Consolidates 1963 amendments (SL 1963, Ch. 589) to Sec. 3; fixes eligibility date for pension qualification for persons who are full-time paid members of department or volunteer members as shown by records of city on December 31, 1962 (previous date fixed at time of ratification of 1957 Act). Amends Sec. 4, providing that monthly payment due shall begin in month following month during which full-time paid member or volunteer member of Albermarle Fire Department becomes eligible to receive benefits, but no payment shall be made to any full-time paid member or volunteer member unless or until such persons become eligible under Sec. 3 of act.] To Counties, Cities and Towns.

SB 364 - (Onslow) Introduced by Ellis

"To validate and confirm all special assessments for local improvements heretofore made by the governing board of the City of Jacksonville." [Validates all actions of Jacksonville governing board taken with respect to levying special assessments for local improvements in city and all special assessments and special assessment rolls heretofore made by said governing board.] To Local Government.

SB 365 - (Onslow) Introduced by Ellis

"To ratify the conveyance of certain realty by the Board of Education of Onslow County to the County of Onslow." [Validates action of board of education in executing and delivering deed to property lying in Jacksonville Township on southwest side of State Road No. 1400 to Onslow County. Authorizes transaction, including acceptance of delivery of deed and conveyance by Onslow County governing board.] To Local Government.

SB 366 - (Moore) Introduced by Gilmore

"Authorizing the on-premises sale and consumption of alcoholic beverages in McNeill, Sandhill and Mineral Springs Townships in Moore County, upon a vote of the people." [Identical with HB 811, digested in the House section of Bulletin No. 59, May 1.] To Propositions and Grievances.

SB 367 - (Johnston) Introduced by Austin

"To provide an alternative method for extending the corporate boundary of the Town of Four Oaks in Johnston County." [Authorizes town board of commissioners to extend its corporate boundaries by annexing designated area. Sets out procedure for extending corporate boundaries, including notice and public hearing. Upon receipt of order from board, Johnston County Board of Education to call election by passage of resolution describing territory to be annexed, providing that question of annexation shall be submitted to vote of qualified voters of territory to be annexed and qualified voters of Town voting together at election, providing for special registration of voters in territory proposed to be annexed, designating precincts and voting places for election, and naming registrar and judges for election; provides for publication of resolution. Costs of holding election to be paid by town and election to be held except as herein provided under same laws applicable to municipal elections in town. Sets out form of ballot. Upon approval of majority voters within proposed area of annexation and town, annexed territory, its citizens and property be subject to all laws, debts, ordinances, and regulations in force in town and to be entitled to same privileges

and benefits as other parts of town. Newly annexed territory to be subject to municipal taxes levied for fiscal year following date of annexation. If majority of voters against annexation then proposed annexation to be null and void and board not to extend corporate boundaries to proposed area of annexation. Territory authorized to be annexed to town subject to approval of qualified voters at special election, set out by metes and bounds. Makes it duty of mayor to have accurate map of annexed territory along with copy of official results of election, recorded in office of Johnston County Register of Deeds and forwarded to Secretary of State of North Carolina if corporate boundaries of town extended in accordance with act.] To Local Government.

SB 368 - (Union) Introduced by Griffin and Boger

"To permit the hunting of raccoons at any time in Union County and to prohibit the transportation of raccoons into Union County." [As title indicates. Makes violation of act misdemeanor, to be punishable in discretion of court.] To Wildlife.

SB 369 - (Stanly) Introduced by Griffin and Boger

"To amend G.S. 89-14 relating to land surveyors as it applies to Stanly County." [Modifies cited section to change to 1967 (now, 1960) the year when, by July 1, surveyors may be registered under prescribed procedure and removes reference to "new" applications to be made by that time. Adds requirement that with application must be submitted recommendation or request for certification signed by majority of practicing attorneys in county who handle legal matters requiring surveys. Amendments applicable only to Stanly County.] To Local Government.

SB 370 - (Union) Introduced by Griffin and Boger

"To authorize the City Board of Education of Monroe to lease the stadium located on or near the Walter Bickett Public School to the Recreation Department of the City of Monroe for a period of twenty-five years." [Authorizes 25-year lease of stadium for nominal consideration. Lease to contain such terms and conditions as formulated and mutually agreed upon. Authorizes proper officials of Monroe City Board of Education and Department of Recreation, or other appropriate government subdivision, to mutually agree upon and properly execute and sign lease, and to execute and deliver any and all other documents and amendments necessary to carry out objectives or purposes of act. Lease to contain clause reserving to board use of stadium.] To Local Government.

SB 371 - (Union) Introduced by Griffin and Boger

"To make it a misdemeanor to abandon domestic animals on public highways, public places or property of another in Union County." [As title indicates.] To Local Government.

SB 372 - Introduced by Griffin and Boger

"To authorize the County Commissioners of Union County to fix, at its discretion, the salary and travel allowance to be paid the Coroner of Union County." [As title indicates.] To Salaries and Fees.

SB 373 - (Union) Introduced by Griffin and Boger

"Relating to the salary of the chairman and members of the Union County Board of Commissioners." [Authorizes Union County Board of Commissioners to fix salaries of its own members; chairman not to receive salary over $150 monthly and other members not to receive over $125 monthly.] To Salaries and Fees.

SB 374 - (Union) Introduced by Griffin and Boger

"To provide for the election of the Monroe City School Board of Education." [Provides that cited board to consist of seven members. Extends terms of James Huntley, J. C. Plyler, Ralph Owen, and A. J. Helmes to July 1, 1969 and of Fred Parker, Bill McInnis, and Jack Henry to July 1, 1971. Provides for elections on third Saturdays in February in 1969 and 1971 and biennially thereafter to fill vacancies caused by expiring terms, all those elected to serve 4-year terms; Monroe City School Board of Education may make specified provisions for election or may contract with county board of elections to do so; county election officials, registration books, and additional registration may be used. Authorizes board of education to pay expenses of election. Provides filing of candidacy procedure, with $5 filing fee. Any vacancy in school board to be filled by remaining members of board for remainder of term. Provides that board members shall elect, at first meeting held after July 1, 1969, one of members as chairman to serve one year without right of succeeding himself.] To Local Government.

SB 375 - (Swain) Introduced by Brumby

"To amend G.S. 153-48.5 relating to the powers of boards of county commissioners so as to make said act applicable to Swain County." [Adds Swain County to list of counties to which Ch. 153, Art. 6A (empowering boards of commissioners to fix number of salaried county employees and fix compensation of county officials and employees) is applicable.] To Local Government.

SB 376 - (Orange) Introduced by Matheson

"To amend Chapter 315 of the Private Laws of 1911 as amended relating to the Charter of the Town of Carrboro, North Carolina and to redefine the town limits and to provide for continuing zoning jurisdiction." [Redefines Carrboro corporate limits by metes and bounds. Provides that current town limits be shown on a map or by written description or by any combination thereof, to be retained permanently in office of town clerk and to be designated "Map (or Description) of Carrboro Limits". Alternations in limits to be appropriately indicated on map with changes, entries or additions to be made by town clerk. Provides that redrawn map or description to supersede for all purposes earlier maps or descriptions which it is designated to replace. Photographic, typed or other copies of map or description certified by town clerk to be admitted into evidence in all courts and to have same force and effect as original. Provides that property, transferred by Act from Chapel Hill to Carrboro to remain subject to Chapel Hill zoning ordinance until August 1, 1967 unless Carrboro amends its zoning ordinance to include such area or areas. Upon adoption of such amendment, Carrboro ordinance to become effective. Effective June 1, 1967.] To Counties, Cities and Towns.

SB 377 - (Orange) Introduced by Matheson

"To amend Chapter 87 of the Session Laws of 1961 relating to the Charter of the Town of Chapel Hill and to redefine the town limits and to provide for continuing zoning jurisdiction." [Substitutes new subchapter B to cited charter describing town limits by metes and bounds. Provides that current town limits shall be shown at all times on map and/or written description retained permanently in office of town clerk and to be designated "Map (or Description) of Chapel Hill Town Limits"; alterations to be indicated by appropriate changes to document made under direction of town manager; redrawn map or description to supersede for all purposes earlier ones. Copies of such, certified by town clerk, to be admitted in evidence in court with same effect as original. Provides that area transferred to Chapel Hill from Carrboro by Act to remain subject to Carrboro zoning until August 1967 unless Chapel Hill earlier includes such land in zoning ordinance. Effective June 1, 1967.] To Counties, Cities and Towns.

SB 378 - (Orange) Introduced by Matheson

"To amend Chapter 279 of the Session Laws of 1947 to authorize the Board of Elections of Orange County to conduct elections of the Town of Hillsborough." [Amends Sec. 2 designating term "general election" to mean elections for State and county officer . Rewrites Sections 5,6,7 and 8 to provide as follows: that Orange County Board of Elections (Board) conduct all elections for Hillsborough including regular elections for town officers, bond elections and other authorized special elections called by board of commissioners; town elections be conducted in accordance with laws, and regulations governing conduct of general elections in county with towns board of comm'rs authorized to reimburse County for actual costs of conducting each town election. Board to establish, maintain and alter when necessary, a County election precinct with its boundaries coterminous with corporate limits of Town; election precinct to be Town precinct for purposes of conducting Town elections with Board appointees for precinct to be registrar and judges of elections for purposes of registering voters for, and conducting all, town elections; Board conduct registration of voters for all town elections and to use registration books of County; persons now or hereafter duly registered in county registration books who live within corporate limits of Town to be entitled to vote in all Town elections; registrar appointed by Board for election precinct within Town's corporate limits to register in county registration books all qualified electors of town who are not registered and who seek to register during designated registration periods; electors of town now, or hereafter, registered to vote in county general elections to be deemed duly registered to vote in all Town elections; registration rules as to time of registration, notice and challenges, applicable to County apply to Town.

Adds new Section 11A providing that in case second election required there need be no registration of voters between dates of first and second elections and that persons whose qualifications to register and vote mature after day of first election and by day of second election may register on day of second election and when so registered be entitled to vote. Adds new Sec. 11B providing that none of provisions of GS Ch. 160, Art. 3 (regulation of elections of municipal corporations) shall apply to town.

Provides that existing registration and poll books of town no longer be used in Town elections and to be impounded by town clerk.] To Counties, Cities and Towns.

Session: Senate 12 noon, May 2, 1967

PUBLIC BILLS INTRODUCED -- SENATE, 12 NOON SESSION, MAY 2

SB 379 - Introduced by White of Cleveland and others

"Relating to a facility to house the President of the University of North Carolina and his staff." [Provides that any facility acquired or constructed after effective date of this Act for purpose indicated in title, whether by appropriation of 1967 General Assembly or otherwise, shall be located in Raleigh, but not adjacent to, contiguous with, or sharing any boundary with, campus of any institution of higher education supported in whole or part by State appropriations. Identical with HB 902.] To Higher Education.

SB 380 - Introduced by Whitehurst

"To amend the Safety Equipment Inspection Motor Vehicles Act (G.S. 20-183.2) so as to provide for annual inspection without reference to registration numerals within one year of the last inspection; to provide for inspection of motor vehicles acquired out of state but registered or required to be registered in this State." [Identical with HB 903, digested in the House section of today's bulletin.] To Highway Safety.

SB 381 - Introduced by Futrell

"To authorize manufacturers a reimbursement of an amount equivalent to the franchise tax on the gross receipts for piped gas used as an ingredient or component part of a manufactured product." [Adds to GS 105-116 requirement that piped gas companies must report quarterly to Commissioner of Revenue the gross receipts derived from sales of piped gas to manufacturers which is to be used as an ingredient or component of a manufactured product. Adds new section 105-129.1 to franchise tax article making following provisions: users of pipedgas as ingredient or component part of manufactured product shall be reimbursed in amount equivalent to franchise tax on gross receipts for such piped gas. User must apply quarterly to Commissioner of revenue for reimbursement on forms prescribed by Commissioner for gas purchased during quarterly period to be reported on. Commissioner may prescribe rules on claim filing. If Commissioner is satisfied that application is properly made and that gas will be used for purpose indicated, he shall issue warrant for reimbursement. Commissioner's decision may be reviewed under provisions of GS 105-241.2, 105-241.3, and 105-241.4 (provisions for appealing taxes). Comm'r authorized to refer questionable cases to any agent of Dep't for complete investigation. Person making false application or affidavit for undeserved reimbursement is guilty of misdemeanor punishable by fine not over $500 or imprisonment not over two years in discretion of court. Amends GS 105-116(g) (ascertainment of gross receipts of public service companies not otherwise taxed) to provide that "gross receipts" as used in deterimining amount to be distributed to municipalities from tax on gross receipts is not to include receipts from piped gas sold for purposes indicated in title. Effective July 1, 1967. Identical with HB 381.] To Finance.

SB 382 - Introduced by Bagnal and others

"To provide for tuition free summer school at all state institutions for public school teachers, supervisors, principals, and superintendents that have been employed by the public school system in North Carolina for three (3) consecutive years." [Provides that persons indicated in title shall be eligible to continue their education in any state supported university or college during regular summer session with tuition paid by State. State shall reimburse institution from funds appropriated for that purpose upon application of person and admittance by institution. One leaving State for employment elsewhere must return and spend three years with State Public School System to become again eligible for benefit.] To Education.

SR 383 - (Joint Resolution) Introduced by Briggs and others

"Memorializing the Congress of the United States to enact a plan for the sharing of federal taxes with the states and their political subdivisions." [Identical with HB 901 digested in the House sections of today's bulletin.] To Appropriations.

SB 384 - Introduced by MacLean and others

"To amend G.S. 105-116 and G.S. 105-120 to revise the allocation formula for franchise taxes." [Amends GS 105-116(g) to require Commissioner of Revenue to ascertain total gross receipts derived from sale within any municipality of electric light, power, street railway, street bus and piped gas services on which franchise tax imposed under act, and out of tax of 6% of gross receipts levied by section (on all but gas), distribute to each municipality an amount equal to a tax of 3% (now 3/4 of 1%) of gross receipts from sales within municipality; out of 4% tax on first $25,000 of gross receipts of gas companies an amount equal to a tax of 3% (now, 3/4 of 1%) of gross receipts from sales within municipality, and out of 6% tax of such gross receipts in excess of $25,000, an amount equal to a tax of 3% (now, 3/4 of 1%) of gross receipts from sales within municipality, shall go to such municipality. Amends GS 105-120 to require Commissioner of

Revenue to ascertain total gross receipts derived by telephone company from sale of services within municipality on which franchise tax imposed under act, and out of tax of 6% on gross receipts, distribute to each municipality an amount equal to a tax of 3% (now 3/4 of 1%) of gross receipts from sales within municipality. Effective June 30, 1967.] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 89 - Beer-wine transportation. Reported favorably.
SB 135 - Glue sniffing prohibition. Reported favorably.
SB 147 - Rear view mirrors, as amended in House 4/17 and 4/18. Conference report adopted accepting amendments made in House except as follows: (1) effective date changed to January 1, 1968 (July 1, 1967 by House amendment); (2) House amendments restricting application of act to motor vehicles manufactured and sold after January 1, 1968 and removing requirement from original bill that view provided by mirrors be "undistorted", receded from.
SB 161 - Equitable "safe driver plan". Received for concurrenced in House amendment; placed on calendar for May 3.
SB 163 - County welfare fund transfers, as amended in Senate 4/28. Passed third reading.

HB 143 - Motorcycle licensing, as amended in House 3/24 and 4/20. Reported unfavorably.
HB 150 - Onslow tech. Passed third reading.
HB 212 - Provisional licensee hearing, as amended in House 3/30. Reported favorably as amended.
HB 277 - Red Cross permanent plates, as amended in House 3/30. Reported favorably.
HB 346 - Real estate license amendment. Passed third reading.
HB 420 - Dental hygienist fees. Received from House; sent to Public Health.
HB 587 - Bang's disease. Received from House; sent to Agriculture.
HB 654 - Ambulance not for-hire. Received from House; sent to Judiciary 2.

LOCAL BILLS

SB 319 - (Union) Watershed tax increase. Passed third reading.

HB 575 - (Moore, Lee) Cameron fire district. (House committee substitute 4/27). Received from House; sent to Counties, Cities and Towns.
HB 643 - (Dare) Mosquito control. Received from House; sent to Counties, Cities and Towns.
HB 685 - (Pender) Topsail tax rate. Received from House; sent to Counties, Cities, and Towns.
HB 689 - (Burke) Morganton charter changes. Received from House; sent to Counties, Cities and Towns.

Next session of Senate; 12 noon, May 3, 1967.

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BULLETIN NO. 60
Tuesday, May 2, 1967

Note: The bill digests which follow next are for local bills carried over from last night's bulletin (Bulletin No. 59). Digests for today's bills follow in order immediately thereafter.

Session: House -- 8:00 p.m., May 1

LOCAL BILLS INTRODUCED -- HOUSE, 8:00 P.M. SESSION, MAY 1

HB 821 - (Buncombe) Introduced by Harkins and Greenwood
"To amend G.S. 115-183 relating to the powers of the Board of Education in Buncombe County." [Empowers county board of education to permit use of school buses for transportation of pupils and teachers to cultural and educational events specifically approved by board. Board liable for operating costs incurred by such use, subject to tort claims arising therefrom in accordance with GS 143-300.1 (providing procedures and limitations on tort claims against county and city boards of education for accidents arising out of bus use) and shall purchase insurance in accord with act plus such additional insurance as board deems necessary. Board, or individual members thereof, shall not be liable except to extent of insurance provided by board and no claim shall lie against State or any agency thereof.] To Education.

HB 825 - (Nash, Edgecombe) Introduced by Fenner, Barbee and Eagles
"Amending Chapter 938, Session Laws of 1963, entitled 'An Act to revise and modify the charter of the City of Rocky Mount,' relating to composition of the Rocky Mount planning board and board of adjustment." [Rewrites SL 1963, Ch. 938, Sec. 301(b) to provide that Rocky Mount Planning Board shall be constituted as follows: It shall consist of 10 members (now, 15) of which five shall be residents of city and appointed by city council (unchanged) and five shall be residents of territory beyond corporate limits of city and within one mile thereof in Nash or Edgecombe counties with membership apportioned between these two counties as provided by ordinance of city with approval of boards of commissioners of respective counties who shall appoint the members so apportioned to their county (now, five members each to be appointed by boards of Nash and Edgecombe) and all members shall have same voting rights (now, all members have same rights except that when voting on matters within city or within the areas of either county for which only members from the area affected are entitled to vote). Rewrites Sec. 302 of act to provide for a board of adjustment of Rocky Mount to consist of 10 members (now, 15) appointed in same manner as planning board indicated above for present planning board), and all members shall have same voting rights (now, voting rights apportioned in same manner as present planning board) and the board of adjustment shall be empowered to appoint such attorneys, to advise it, other than persons who are the city attorneys, as it determines necessary (unchanged).] To Counties, Cities and Towns.

HB 826 - (Watauga) Introduced by Issac
"To regulate the fees of certain public officials of Watauga County." [Provides for annual salaries and fees of Watauga public officers to be paid in equal monthly installments as follow: sheriff salary not to exceed $7,200 in addition to official fees of his office; tax supervisor salary not to exceed $7,200 plus up to $600 for office expenses (tax supervisor also to serve as county accountant); tax collector salary not to exceed $7,200 plus up to $1,000 for office supplies; county attorney salary $800 plus necessary travel expenses; register of deeds salary not to exceed $3,000 in addition to official fees of office. Authorizes sheriff to appoint three deputies to receive salaries up to $4,400 each in addition to fees for official services or sheriff may appoint two deputies at maximum annual $4,800 and one at up to $3,600 in addition to fees for

official services. County commissioners to receive annual $500 (chairman, $700) plus all necessary official travel expenses. Salaries not to be increased more than 20% from one year to another, nor decreased more than 10%; all salaries paid by commissioners from general fund or other available funds. All salaries effective July 1, 1967 except tax collector and commissioners which are retroactive to first Monday in December. Authorizes commissioners to employ assistant tax supervisor, paid not more than tax supervisor. Provides that after effective date of Act all travel to be reimbursed at 8¢ per mile. Provides that Democratic and Republican commissioner vacancies be filled by respective executive committees. Salaries not mentioned by Act to remain as previously provided.] To Local Government.

HB 827 - (New Hanover) Introduced by Hill

"Amending Chapter 206 of the 1943 Session Laws relating to the pension system for school teachers and others in New Hanover County." [Amends SL 1943, Ch. 206 (pertaining to pensions for school teachers in New Hanover County) to provide that if any person eligible to receive a pension under act withdraws all or part of his contribution to State retirement system, he shall receive under act only what he would have received had he not withdrawn such contributions to the State system.] To Education.

HB 828 - (New Hanover) Introduced by Clark

"To prohibit posting of political, business, and commercial advertisement in New Hanover County." [Prohibits, in county of New Hanover, painting, printing, erecting or affixing any business, commercial or political posters (defined to cover only those of candidates seeking public office solely within county or subdivision therein) on or to any stone, tree, fence, sign, building or other objects within limits of public highway, or on any such object on the property of another without first obtaining written consent of owner.] To Judiciary 1.

HB 829 - (Montgomery) Introduced by Blake

"To provide for the salaries of the members of the Board of Commissioners and of the Mayor of the Town of Mount Gilead." [Sets compensation of Mt. Gilead mayor and board of commissioners at $10 for each meeting of board they attend but not more than $300 per year; provides that they shall receive no other compensation from town. Effective July 1, 1967. **Identical with SB 352.**] To Salaries and Fee

HB 830 - (Richmond) Introduced by Hunter

"Amending Chapter 908 of the 1963 Session Laws relating to municipal elections in the Town of Hamlet in Richmond County." [Amends SL 1963, Ch. 908 to provide that in the 1969 election for town commissioners of Hamlet, and biennially thereafter, three commissioners shall be elected with the two receiving highest number of votes to serve 4-year terms and one receiving next highest vote to serve 2-year term (now, two commissioners elected to 4-year terms and one to 2-year term but candidates run for one term or another and determination of highest number of votes is treated separately for respective terms).] To Local Government.

HB 831 - (Richmond) Introduced by Hunter

"Relating to the compensation of the chairman and members of the Board of Commissioners, Sheriff, Clerk of Superior Court and Register of Deeds of Richmond County." [Increases present annual salaries of named officials by 10%. Effective July 1, 1967.] To Local Government.

HB 832 - (Richmond) Introduced by Hunter by request

"Authorizing the governing body of the City of Rockingham in Richmond County to provide a retirement plan for city employees." [Authorizes Rockingham governing body to provide "suitable retirement plan" for city employees by purchase or otherwise.] To Local Government.

HB 833 - (Richmond) Introduced by Hunter by request
"Repealing Chapter 535 of the 1965 Session Laws and amending Chapter 982 of the 1963 Session Laws relating to the allocation of the net profits of the Town of Hamlet, in Richmond County, Board of Alcoholic Control." [Repeals and amends cited Acts, respectively, to direct Hamlet ABC Board to distribute net profits from ABC stores, as determined by quarterly audits, as follows: 15% to county general fund for Richmond Technical Institute; 85% to Hamlet general fund for any governmental purposes (now, 35% to Hamlet general fund for any governmental purpose; 20% to Hamlet Recreational Comm'm; 11% to county board of education, or if merger with city units, then to Hamlet general fund; 30% to city school board; 4% to Hamlet Library.) Effective July 1, 1967.] To Local Government.

HB 835 - (Carteret) Introduced by Taylor
"Authorizing establishment of nontax reserve funds, applicable only to Carteret County." [Authorizes board of commissioners to establish nontax reserve fund by order that all receipts from revenue derived from beer and wine licenses, State beer and wine crown tax and all profits allocated by law to the county from operation of ABC stores shall be deposited in such fund as received. Board to designate one or more bank or trust companies, having principal office in State, as depositary for fund and require such security from depository as required by law for protection of public deposits. Pending use of funds for authorized purposes all or part may be invested in bills, certificates, notes or bonds of US or agency thereof, or guaranteed by US, or in certificates of deposit. Fund may be used in county for public purpose authorized by law as board shall determine. Expenditures to be consistent with GS 153, Art. 10 (County Fiscal Control Act), provided withdrawals shall not be authorized in excess of amount on deposit and that board may rescind any withdrawal prior to its encumbrance.] Judiciary 2.

HB 836 - (Carteret) Introduced by Taylor
"Authorizing establishment of necessary expense reserve funds, applicable only to Carteret County." [Authorizes county board of commissioners to establish "necessary expense reserve fund" by order specifying that (a) fund is created pursuant to this Act, (b) source of moneys is appropriation from general fund in accordance with Fiscal Control Act (GS Ch. 153, Art. 10), and (c) order is effective upon passage. Board to designate a NC bank or trust company as depositary and require security required by law; all or part of funds may be invested in US Government or Government-guaranteed bills, certificates, notes or bonds or in depositary's certificates of deposit. Funds to be expended in county only for necessary expenses upon commissioners order specifying amount and general purpose; expenditures to be made consistent with Fiscal Control Act; withdrawal order not to exceed unobligated balance of fund; board may repeal or rescind unobligated unexpended portions of orders.] To Judiciary 2.

HB 837 - (Carteret) Introduced by Taylor
"To extend the zoning jurisdiction of the Town of Beaufort." [Authorizes Beaufort commissioners to exercise extraterritorial zoning and subdivision control authority in area described by courses and distances, in addition to that authorized by GS 160-161.2 and GS 160-226 (zoning and subdivision control respectively, one mile beyond corporate boundaries in all directions).] To Judiciary 2.

HB 838 - (Hyde) Introduced by Burrus and Roberson
"To amend Article 6 of Chapter 156 of the General Statutes relating to drainage commissioners." [Modifies GS 156-81.1 (prescribing CSC appointment of drainage district treasurer) by directing Hyde CSC upon county commissioners recommendation to order county auditor or accountant in county where drainage district organized to serve as treasurer until further ordered by CSC; district funds to be protected by official bond covering county auditor or accountant.] To Judiciary 2.

HB 839 - (Dare) Introduced by Burrus and Roberson

"To incorporate the Town of Kitty Hawk, Incorporated, in Dare County, North Carolina." [Incorporates Town of Kitty Hawk with all general municipal corporate powers and establishes town boundaries by metes and bounds. Provides for 4-member town council and mayor nominated and elected from town at large to 4 and 2-year terms, respectively, with vacancies filled by remainder of council. Kitty Hawk council meetings as provided by resolution; special meetings on call of major or two members; meetings open to public. Provides for organization and procedures of office of mayor and council; provides for recorded yeas and nays on all ordinances and resolutions. Provides that Resolution of Activation by Dare Commissioners necessary prerequisite for town status; such resolution to be adopted within 90 days of written petition of 15% of freeholders in proposed town limits to activate town as of resolution effective date; provides that should activation resolution be repealed, Act not to be affected; provides for county commissioners call of town election immediately upon adoption of activation resolution. Regular elections for mayor and council held on Tuesday after first Monday in May of odd-numbered years. Provides for nominations by filing of candidacy as prescribed; provides that in initial council election two receiving highest vote to serve four years and next two highest to serve 2-year terms. Provides for council to appoint town clerk, treasurer, tax collector, accountant, attorney, police chief, fire chief and other necessary employees; council empowered to fix salaries, prescribe bonds, require oaths and combine duties of such employees who serve at pleasure of council. Provides for town fiscal matters relating to contracts and purchases (GS generally; GS 143-129 particularly) deposit and disbursement of town monies and annual independent CPA audit. Prescribes oath for town office and prohibits personal financial interest on part of any town officers in town affairs under penalty of malfeasance of office, forfeiture, and contract voidable by council.] To Counties, Cities and Towns.

HB 840 - (Columbus) Introduced by Collier and Williamson

"To amend Chapter 327, Session Laws of 1961 relating to the nomination of members to the Board of Education of Columbus County." [Provides for nomination of candidates for education board membership by electors of entire county (now, by established districts).] To Education.

HB 841 - (Guilford) Introduced by Bowles

"To amend Chapter 674 of the Session Laws of 1955 so as to make G.S. 14-414, permitting the sale of explosive caps for cap pistols, applicable to Guilford County." [As title indicates, amends SL 1955 Ch. 674 to delete Guilford County from list of counties exempted from GS 14-414 permitting sale of explosive caps for cap pistols.] To Judiciary 1.

HB 842 - (Randolph) Introduced by Garner and Blake

"To revise and consolidate the Charter of the City of Asheboro." [As title indicates, continues City of Asheboro under revised charter, within boundaries set out by metes and bounds. Provides for mayor and 5-member city council elected at large for 2-year terms, elected at biennial municipal elections on Tuesday after first Monday in May in odd years; nominations by filing of candidacy procedures with $5 filing fee followed by primary; elections governed by general laws on municipal elections, except as herein provided. Provides for primaries for mayor if more than two candidates file; for majority party primary if more than six of its candidates file (to nominate six for election); and for other party if more than four file (to nominate four). Provides for details of primary and election procedures; states intent of Act is to provide for "nonpartisan" council composed of three members affiliated with majority party and two others. Provides for organization and procedure of council, with three votes (which may include mayor) necessary to adopt any ordinance or resolution or motion having effect of ordinance, and yeas and nays to be taken on all ordinances and resolutions; mayor to have casting vote only. Provides for appointment of city manager

by council as chief executive and administrative officer, and with power to appoint and remove all city officers and employees except city attorney (appointed by council); specifically authorizes him to appoint city clerk, tax collector, and accountant, and with council's approval to consolidate any two or more of such positions. Provides for custody of city money; annual independent audit; delinquent taxes to be paid into general fund; property disposal procedures (realty, on upset bids with 5% deposit; personalty, without bids at private sale if under $500 market value, or on informal bids if $500-$2,000, or on sealed bids if over $2,000). Extends police officers' jurisdiction to one mile extraterritorial plus city owned property wherever located. Authorizes street assessments without petition where street unsafe for traffic, where project under 1,200 feet, where in public interest to connect two streets or portions thereof, or for widening improved streets. Authorizes city to make sidewalk improvements or repairs and assess costs against abutting owners, and to charge abutters cost of sidewalk repairs or clearing off debris, with a lien for expenses; also to accept conveyance of property in satisfaction of assessments. Authorizes city council to include in subdivision control ordinance provisions on required facilities; to make city building and technical codes effective within one-mile extraterritorial area. Authorizes corner lot exemptions, classified according to land use; authorizes use of acreage charges for water and sewerage assessments. Abolishes Asheboro Golf Commission and Municipal Fishing Commission, with functions to be administered by city. Creates Asheboro Airport Authority, to consist of three members appointed by council for 3-year terms, and spells out its functions and procedures involving Asheboro airport; creates Airport Fund (consisting of city appropriations, revenues, etc.) and provides for its use. Prescribes requirements governing presentation of tort claims against city (within 90 days after claim due or cause accrues); tort actions (1-year limitation); real property actions (notice to council within two years); special provisions on tolling of limitations for minority and incapacity; and settlement of claims by city manager (personal injury and property damage up to $100; rounding of street corners and intersections, up to $500). Repeals 39 enumerated acts relating to Whiteville, including one(effective 1st Monday in Dec., 1970) to be superseded by Judicial Dep't Act in 1965, and provides various savings clauses.] To Local Government.

HB 843 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter, and Jones

"To allow the City of Charlotte to release any interest it and the public generally may have in certain lands for the purpose of permitting the Knight Publishing Company to cross under the surface of South Church Street for private purposes." [Authorizes Charlotte governing board to release interest of city to portion of South Church Street between Stonewall and Hill Streets so that Knight Publishing Company may erect and maintain an underground passageway approximately 25 feet in width and extending under and across South Church Street.] To Counties, Cities and Towns.

HB 844 - (Graham) Introduced by McGlamery

"To grant the power of eminent domain and the authority to levy, collect, and expend funds for watershed improvement programs in Graham County." [Authorizes Graham board of comm'rs to levy, collect and expend special "watershed improvement tax" of up to 10¢ per $100 property valuation, without election provided for by G.S. 139-39, -40 (governing expenditures by counties for watershed improvement programs); tax levy declared special purpose and expenditures declared necessary expense. Adds Graham to SL 1961 Ch. 794, authorizing watershed improvement districts to acquire by condemnation any interests in land needed in connection with any construction unit (defined as structure or work of improvement) to carry

out the purposes of GS Ch. 139 ("Soil and Water Conservation Districts"); prescribes procedures for effecting condemnations, including approval by State Soil and Water Conservation Committee; requires voluntary acquisition of 75% of tracts before exercising condemnation; condemnation proceedings to conform as nearly as possible to procedures of GS Ch. 40, Art. 2 (general condemnation proceedings); also confers eminent domain powers on counties for purposes of its watershed improvement program.] To Judiciary 1.

HB 845 - (Martin) Introduced by Everett

"To amend G.S. 163-175 relating to the marking of election ballots in the Town of Hamilton." [Makes Hamilton elections subject to provisions of GS 163-175(6), providing that where several condidates appear on ballot in group for office, elector must vote for as many candidates as there are offices to be filled or else elector's ballot not to be counted (single shot voting law).] Passed three readings and sent to Senate, Monday, May 1.

HB 846 - (Rockingham) Introduced by McMichael and Vaughn

"To amend G.S. 160-227.1 so as to make Part 3A of Article 18 of Chapter 160 of the General Statutes applicable to Rockingham County." [Strikes Rockingham from list of counties exempted in cited section, to make subdivision control authority of cited Article applicable to Rockingham.] To Judiciary 1.

HB 848 - (Chatham) Introduced by Andrews

"To require the county commissioners of Chatham County to turn in to the general fund all taxes collected for the year 1965 and all prior years." [Requires county comm'rs to turn in to county general fund all uncollected taxes which are hereafter collected for 1965 and prior years. Effective July 1, 1967.] To Judiciary 1.

HB 849 - (Chatham) Introduced by Andrews and Stanford

"To authorize the qualified voters of the Town of Siler City to determine whether alcoholic beverage control stores shall be operated in the Town of Siler City." [Identical with SB 345, digested in the Senate section of yesterday's bulletin (Bulletin No. 59).] To Propositions and Grievances.

HB 850 - (Harnett) Introduced by Staton and Love

"To fix the terms of office of the Board of Commissioners of Harnett." [Divides Harnett County into five districts for election of county commissioners as follows: District 1--Aversboro Township; District 2--Duke and Grove Townships; District 3--Black River, Neill's Creek, Hector's Creek and Buckhorn Townships; District 4--Lillington, Stewart's Creek, and Anderson Creek Townships; and District 5--Upper Little River, Barbecue, and Johnsonville Townships. Each political party to nominate one candidate from each district at county primary election; candidates to be residents of district from which nominated and to be voted on at general election by all qualified voters of county. Three candidates elected from their district receiving largest vote to serve 4-year terms; two candidates elected from other two districts to serve 2-year terms; all terms to commence first Monday in December, 1968. At 1970 primary, and biennially thereafter, voters of each political party to nominate one candidate from each district where term of office for its member on board of county comm'rs expires and at general election and biennially thereafter, candidates to be elected to fill expiring terms and serve 4-year term. If any district established for any reason is not represented, CSC to appoint comm'r from district having no representation for duration of term for which he is appointed. Repeals SL 1947, Ch. 48 as amended by SL. 1963, Ch. 895.] To Judiciary 2.

HB 851 - (Lee) Introduced by Staton and Love

"To consolidate the Lee County school administrative unit and the Sanford City school administrative unit; to provide for the election of the members of the consolidated board of education; to provide for a referendum to submit the question of consolidation to the people of Lee County." [Directs Lee county commissioners to call an election in county within seven months from ratification of act on question of consolidation of Lee County Board of Education and Sanford City Board of Education into one administrative unit governed by a consolidated board. Form of ballot prescribed and election to be conducted in accord with general election laws and provisions of GS 115, Art. 14 (regulating tax elections for school purposes).

In event a majority voting in said election approve consolidation following merger proceedures will apply: (1) two existing boards to continue in operation until first Monday of December, 1967, when they shall be replaced by an interim board. (2) County superintendent and city superintendent to continue until termination of their positions on June 30, 1969. (3) Interim board shall be composed of ten members made up of five members each appointed by city and county education boards from their respective memberships. Interim board shall make effective plan of consolidation and shall have full responsibility for administration of school system until consolidated board shall take office on first Monday in December, 1968. Interim board shall conduct meetings in accord with standards designated, shall receive same compensation as former city board, shall appoint chairman from membership, and appoint city and county superintendents as co-secretaries to said board. Expenditure by board of any unencumbered capital outlay funds theretofore belonging to either board shall be first approved by county commissioners. (4) Consolidated school board to consist of seven members to be elected at large on non-partisan ballot, at time of primary for nomination of county officers in 1968. Nomination to be by filing within specified time and payment of fee of $10 and certification that candidate is bonafide resident and elector of county. Two candidates receiving highest votes to serve 6-year term, two receiving next highest votes to serve 4-year term, and three receiving next highest votes to serve 2-year terms. At time of primary election in 1970, and biennially thereafter all vacancies by expiration of term shall be filled for 6-year terms. Vacancies in office to be filled by remaining members by appointment until time of next school board election when such vacancy shall be filled by election for remainder of unexpired term. Board members to receive $10 per meeting plus mileage as compensation for service. Consolidated board to exercise all powers performed by county and city boards of education as provided by GS 115, and as provided by any Pub-Local or Private acts pertaining to Lee County Board of Education. Consolidated board to elect superintendent of schools on first Monday in April 1969 who shall serve from July 1, 1969, to June 30, 1971, and thereafter shall be elected as provided by General School Law. (5) On or after first Monday of December 1968, title of all property owned by county and city boards of education or acquired by interim board shall be vested in consolidated board and all structures, records, accounts, claims, demands and unexpended funds, or proceeds of State School Bonds, belonging to city board or interim board to be transferred to consolidated board. All claims, liabilities and obligations of city or interim board become obligations of consolidated board.] To Education.

HB 852 - (Lee) Introduced by Staton and Love

"Amending Section 160-181.2 of the General Statutes insofar as the same applies to Lee County." [Modifies cited statute to exempt Lee County from general law requirement for appointing additional members to joint planning board set up by municipality and county (members representing outside area to be appointed by board of county comm'rs and to be equal to members of board or commission appointed by municipality).] To Judiciary 1.

HB 853 - (Lee) Introduced by Staton and Love

"Relating to temporary quarters for governmental agencies of Lee County, pending the construction of a new, or repairs to the existing, courthouse." [Authorizes county comm'rs to lease or otherwise provide temporary space for any governmental purpose pending construction of new courthouse or repairs to existing courthouse; to be lawful to hold sessions of court and other hearings required to be heard at county courthouse in temporary quarters and to conduct any other governmental functions of county; quarters need not be located in single building. Authority granted to continue until new courthouse constructed or repairs to existing courthouse completed and occupied by county officials.] To Judiciary 1.

HB 854 - (Lee) Introduced by Staton and Love

"Authorizing Lee County to enact and enforce a minimum housing standards ordinance." [Authorizes county comm'rs to exercise powers granted municipal governing bodies by GS Ch. 160, Art. 15 "Repair, Closing and Demolition of Unfit Dwellings"; such powers to be exercised only in and with respect to area included in county's zoning jurisdiction, as defined by GS 153-266.13.] To Judiciary 1.

HB 855 - (Lee) Introduced by Staton and Love

"To revise and consolidate the Charter of the City of Sanford." [As title indicates. Provides for continuation of City of Sanford with general municipal corporate powers, within boundaries as described by metes and bounds; also specifies boundaries of seven wards of city, which may be altered by city board of aldermen in order to maintain substantial equality of population. Provides for board of aldermen to consist of seven members to be elected from wards at large, and mayor to be elected at large, all serving 2-year terms; spells out organization and procedures of board, requires affirmative votes of majority of members of board to adopt ordinance; requires yeas and nays on all ordinances, and requires votes at three regular meetings of board for approval of franchise ordinances, with three weeks' newspaper notice prior to second vote. Spells out procedures for grant and renewal of franchises and powers of city to condition franchises. Provides for selection of city manager by board as chief administrative officer who need not reside in city at time of appointment; manager to appoint all city officers and employees except clerk, tax collector and attorney (to be appointed by board). Provides for annual independent audit, and authorizes payment into general fund of delinquent taxes collected, when two or more years delinquent. Authorizes board to dispose of surplus personal property up to $500 value at private sale without bids, between $500 and $2,000 value to highest bidder on informal written bids, and over $2,000 to highest bidder on sealed bids. Gives police jurisdiction on all city facilities and property wherever located; authorizes police to confine offenders overnight in jail for safekeeping. Authorizes street assessments without petition where project not over 1,000 feet long, street unsafe for traffic, to connect two streets, or to widen existing streets. Grants to board mapped street authority (power to plat projected street lines on official map and acquire property within such street lines at unimproved value). Authorizes board to clean or remove weeds or refuse at expense of abutting owners (with cost of such repairs and cleaning or removal to be a lien against abutting owner). Requires claims against city to be presented within 90 days after accrual of cause of action, and notice of real property claims to be filed within three years; special provisions included concerning incapacity and minority. Authorizes city manager to settle personal injury claims against city up to $100, and taking of small portions of property needed for rounding of corners up to $500. Authorizes board to establish city employee retirement system covering retirement because of age, death and disability, with city contributing such amounts as it determines, to be maintained on actuarial reserve basis excepting present value of prior service benefits, with contributions sufficient to fund liability for

prior service within 40 years; city may contract for benefits with US, State or insurance companies. Authorizes board to regulate municipally-owned or leased off-street parking, public parks and recreation facilities, and privately owned areas used permissively for parking or street purposes, and to provide civil penalties for violations. Authorizes one-mile extraterritorial planning, zoning, subdivision control and other regulatory powers.] To Judiciary 1.

HB 856 - (Orange) Introduced by Stanford

"To amend Chapter 87 of the Session Laws of 1961 relating to the Charter of the Town of Chapel Hill." [Redefines, by metes and bounds, extraterritorial boundaries of Chapel Hill for purpose of planning and zoning.] To Counties, Cities and Towns.

HB 858 - (Lincoln) Introduced by Leatherman

"Authorizing the Board of Commissioners of Lincoln County to expend funds for police protection along the shores of Lake Norman and for other purposes." [Authorizes comm'rs to appropriate from general fund for fiscal year beginning July 1, 1967 and each thereafter, sum not to exceed $3,000 in any fiscal year, to provide police protection and traffic control in Catawba Springs Township and compensation and uniforms for constable of said township.] To Judiciary 1.

HB 859 - (Lincoln) Introduced by Leatherman

"To authorize the Board of Elections of Lincoln County to install a full-time and permanent registration with a modern loose-leaf registration system." [As title indicates; system to be established in accordance with GS 163 (Elections and Election Laws) prior to 1968 general county primary election; comm'rs to appropriate sufficient funds to pay cost and expense of new system.] To Judiciary 1.

HB 860 - (Lincoln) Introduced by Leatherman

"To abolish the office of Coroner in Lincoln County and to make Chapter 152A, relating to County Medical Examiner, applicable in Lincoln County." [Adds Lincoln to list of counties subject to cited chapter (County Medical Examiner) and provides that medical examiner system there authorized not to become effective in Lincoln until first Monday in Dec., 1970 unless system earlier approved by board of commissioners under procedure of GS 152A-11.] To Judiciary 1.

HB 861 - (Lincoln) Introduced by Leatherman

"To extend the time for the incorporation of a municipal corporation in Lincoln County." [Amends SL 1963, Ch. 959 (relating to municipal incorporation procedure in Lincoln County) to extend from January 1, 1967 to January 1, 1969 the time by which incorporation must occur for act to be effective.] To Judiciary 1.

HB 862 - (Lincoln) Introduced by Leatherman

"To amend Chapter 837, Session Laws of 1955, relating to the compensation of the Chairman and members of the Board of Commissioners of Lincoln County." [Amends SL 1955, Ch. 837 to increase salary of Chairman of board of comm'rs to $125 per month (now, $60) and other comm'rs to $100 per month (now, $50). Repeals SL 1959, Ch. 517 and SL 1965, Ch. 448 (provides for $50 payment to comm'rs for attending special meetings of board; total payment not to exceed $600 in any fiscal year). Effective July 1, 1967.] To Judiciary 1.

HB 863 - (Lincoln) Introduced by Leatherman

"To amend the Charter of the Town of Lincolnton as contained in Chapter 369 of the Private Laws of 1899, as amended by Chapter 227 of the Public-Local Laws of 1917, relating to the residence of town alderman." [Amends Lincolnton Charter to provide that move by alderman from one town ward of election to another will not require forfeiture of office or diminution of elected term.] To Judiciary 1.

HB 864 - (Lincoln) Introduced by Leatherman

"Authorizing the qualified voters of the town of Lincolnton to determine whether beer and wine may be legally sold and alcoholic beverage control stores operated in said town." [Provides that Board of Commissioners of Lincolnton may on own motion or shall within 60 days petition of 15% of registered and qualified voters of town order election on questions indicated in title. Board shall give at least 20 day's notice of opening of registration books which are to remain open for 20 days before election; no new registration necessary; all qualified voters registered prior to registration for election and all those registered for election are eligible to vote. Provides form of ballot. If subsequent election shows voters to be against ABC stores, ABC board is to close immediately and dispose of all alcoholic beverages and property in their control, converting same to cash and turning cash over to town treasurer; all laws relating to sale of intoxicating beverages within town before initial election to resume force until a later election favors establishment of such stores. No election to be called in town under this act within three years of last election called hereunder. If operation of ABC store is authorized under Act, mayor and board of commissioners of town to create and appoint 3-member town ABC board to serve 3-year staggered terms; chairman of initial board to serve three years and other two members to serve two and one years as designated. If vote so indicates; "off premises" beer and wine may be sold.

ABC board shall have powers and duties imposed by GS 18-45 (powers and duties of county boards) and be subject to powers of State Board of Alcoholic Beverage Control under GS 18-39; no town liquor store to be located within 450 feet of any school or church in Lincolnton. Provides that net profits determined by quarterly audit remaining after payment of salaries, costs and operating expenses, and after retaining sufficient working capital, to be distributed by ABC board as follows: 15% to general fund of Lincoln County and 85% to general fund of Lincolnton for any governmental purpose for which tax and non-tax revenues may be spent.] To Propositions and Grievances.

HB 865 - (Lincoln) Introduced by Leatherman

"To authorize an election or referendum on the question of reorganizing and merging the Lincoln County School Administrative unit and the Lincolnton City Administrative unit into one school Administrative unit under one board of educatic upon the conditions set forth in this act." [Upon completion of study by State Board of Education and recommendation of consolidation of Lincoln County and Lincolnton City school units, board of county commrs authorized to submit referendum on consolidation to voters of Lincoln County. Referendum to be conducted in accordance with provisions of GS 115-122 and related election procedures; ballot set out. If consolidation approved, public schools of county to be administered by joint board of ten composed of five members of Lincolnton City Board and five members of Lincoln County Board; terms of present members extended to Dec., 1972.

At 1972 primary and general election seven member Board of Education of Lincoln County to be elected, one member from each of the following districts: Northbrook Township; Howard's Creek Township; Ironton Township; and Catawba Springs; and three members from Lincolnton Township. Four members receiving highest vote to serve 6-year term; other three members to serve 4-year terms. Thereafter, members to be elected biennially to fill expiring terms; term to be 4-years for all members elected after 1972. On first Monday in December following election of Lincoln County Board of Education, all power and authority of Joint Board to cease and terms of joint board members to terminate. New board members to receive $10 per day ($15 for Chairman); filing fee set at $10. Vacancies to be filled by board members and must come from township district and be of same party affiliation as member causing vacancy. On first Monday in December in which Lincoln County Board assumes office, Board to control, operate and administer all public schools in Lincoln and to hold title to all property and all contracts and liabilities relating to schools in Lincoln County.] To Judiciary 1.

HB 866 - (Anson) Introduced by Mills

"To amend G. S. 118-7 relating to firemen's relief fund for the Town of Wadesboro so as to provide that the trustees of said fund may spend moneys accumulated in excess of five thousand dollars ($5,000.00) for the building of a meeting hall for the volunteer firemen of Wadesboro and for other benefits." [As title indicates, expenditure requires affirmative vote of Volunteer Fire Department and town commissioners.] To Judiciary 1.

HB 867 - (Cabarrus) Introduced by Johnson

"To authorize the Board of County Commissioners of Cabarrus County to fill vacancies on said board." [Adds Cabarrus to list of counties (GS 153-6) wherein commissioner vacancies filled by remainder of board.] To Local Government.

HB 868 - (Cabarrus) Introduced by Johnson

"To amend Sections 105-306(26), 105-308, 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of Commissioners of Cabarrus County to prescribe regulations relating to the listing of property for taxation in Cabarrus County." [Authorizes county commissioners (notwithstanding cited GS Sections) to prescribe regulations governing type and form of oath and manner of administration (GS 105-306(26) and GS 105-308 relate to oath), firms and corporations listing property in county for taxation, listing property by agents (covered in GS 105-309), and mail listing (covered in GS 105-310). Authorizes county tax supervisor, with comm'rs' approval, to appoint list takers for each combined or divided unit. Provides for extension of G.S. 105-307 (relating to penalty for failure to list) to cover board regulations relating to matters covered in Act as well as GS provisions not inconsistent with board regulations.] To Local Government.

HB 869 - Introduced by Tate

"To make G. S. 153-6 applicable to Watauga County." [Adds Watauga to list of counties (GS 153-6) wherein commissioner vacancies filled by remainder of board.] To Local Government.

HB 870 - (Watauga) Introduced by Tate

"To permit the building of a new courthouse in Watauga County on a new site." [Provides that proceeds of bonds, authorized by voters on Nov. 8, 1966, on bond order stating purpose as construction of courthouse on present site may be used for construction and equipment of courthouse on site to be selected by county commissioners within one-half mile of existing courthouse.] To Local Government.

HB 871 - (Caldwell) Introduced by Tate

"To revise and consolidate the Charter of the City of Lenoir." [As title indicates, continues City of Lenoir under revised charter, within existing boundaries which are to be set out on map to be kept up-to-date with metes and bounds description by city manager. Provides for mayor and seven member city council, to be elected at large for 2-year terms, except that in May 1969 election, four council members elected with highest votes to serve 4-year terms and next three elected to serve 2-year terms. Spells out detailed procedures governing nominations and elections; provides for nomination by primaries on Friday before first Monday in May, with two highest vote-getters for mayor and 14 highest vote-getters for council to be nominees in election on first Monday in May in odd years (if lesser numbers file, no primaries to be held); provides for primaries to be conducted by board of elections consisting of mayor, councilmen and manager, who shall also serve as board of canvassers. Provides for organization and procedure of council, with four affirmative votes required to adopt any ordinance or action; mayor to have casting vote only; yeas and nays to be taken on all final actions involving expenditure of $50 or more. Provides for appointment of city manager by council as chief executive and administrative officer, and with power to appoint and remove all city officers and employees except city treasurer (appointed by council); specifically authorizes him to appoint city clerk, tax collector, and accountant, and to consolidate any two or more of such positions. Provides for property disposal procedures (realty, after advertisement and following foreclosure procedure; personalty, without bids at private sale if under $500 market value, or on informal bids if $500-$2,000, or on sealed bids if over $2,000). Extends police officers' jurisdiction to one mile extraterritorial plus city-owned property wherever located. Authorizes adoption of subdivision control ordinance with one-mile extraterritorial jurisdiction; spells out procedures for adoption and permissible scope of ordinance, including orderly development coordination of streets, dedications and reservations, and required facilities; defines subdivisions to exclude (among other things) areas no greater than two acres with not over three lots, or divisions into parcels larger than five acres with no street right-of-way dedication involved. Contains various savings clauses.] To Local Government.

HB 872 - (Pasquotank) Introduced by Culpepper and Godwin

"To repeal Chapter 368 of the Session Laws of 1947 relating to the authority of Pasquotank County to appropriate funds from alcoholic beverage control store profits to increase salaries of public school teachers of said County." [As title indicates.] To Counties, Cities and Towns.

HB 873 - (Pasquotank) Introduced by Culpepper and Godwin

"To authorize the Board of Commissioners of Pasquotank County to transfer to the city of Elizabeth City the interest of said county in the municipal airport operation." [As title indicates; authorizes county to transfer to city all right, title and interest to $94,550 received from recent sale of jointly owned airport property.] To Counties, Cities and Towns.

HB 876 - (Buncombe) Introduced by Hutchins

"Relating to electrical inspectors and inspection in Buncombe County." [Requires electrical inspection in county to be performed on uniform basis using standards of National Electric Code and any amendments thereto approved by State Building Code Council, except that in all instances where code would permit an inspector to use his discretion, he shall not do so but shall follow strictly standards set forth in code. All new electrical wiring shall conform to said code and electrical ordinance of county. Each electrical inspector shall give a receipt and maintain a carbon copy thereof with respect to all inspection fees collected and he shall file such carbons together with an itemized list of his receipts each month with county treasurer and pay over all fees to the county treasurer who shall draw a check in amount equal to such fees and pay them to said inspector by way of reimbursement.] To Local Government.

HB 877 - (Wayne) Introduced by Chase and Strickland

"To amend the charter of the city of Goldsboro, North Carolina, as revised, reorganized and amended by Chapter 447 of the Session Laws of 1961, as amended." [Amends cited chapter in following ways: regular municipal elections to be held on first Monday in May, 1969, and biennially thereafter (now, first Saturday in May, 1963). Primary to be held second Tuesday before municipal election (now, second Saturday in April preceeding election). Statement of candidacy no longer must be "sworn". Registrar must be appointed on or before second meeting in March of Board of Aldermen (now, first meeting). Meeting date of Board of Canvassers is on second day following election (now, Tuesday following). Hearing on registration challenges is to be on or before Monday preceeding election (now, Wednesday preceeding election).

Adds section to article on tax collector providing that provisions of Sec. 1 and 2 conflicting with agreement on Wayne County-Goldsboro consolidated tax collection shall be suspended during period of such agreement. Rewrites Article 10 of charter (now, "Police") to be entitled "Municipal Functions; Appointments and Compensation" continuing present departments and creating Departments of Finance, Public Works, Planning, and Utilities, and providing for appointment of heads of same during month of May after each regular municipal election or as soon as practical thereafter from list submitted by city manager, to receive compensation as determined by Aldermen. Rewrites Article 11 of charter (now, "Fire Department") to be entitled "Department Head; Powers and Duties" and specifying powers and duties of heads of departments as suggested by titles of various department heads (powers of Fire and Police Chiefs substantially similar to pre-existing powers).] To Judiciary 1.

HB 878 - (Wilkes) Introduced by Billings and Haynes

"To prohibit the sale of beer, wine and all other alcoholic beverages within a radius of two miles of the Walnut Grove baptist church in Wilkes County." [Prohibits the possession or sale of beer, wine or any alcoholic beverages within 2-mile radius of Walnut Grove Baptist church in Pores Knob community; misdemeanor punishable by fine, imprisonment or both. Act restricted to Wilkes County.] To Propositions and Grievances.

HB 879 - (Wilkes) Introduced by Billings

"To provide for the election of the tax supervisor, the tax collector, and the electrical inspector of Wilkes County." [Provides that at next regular biennial election of officers in county and quadrennially thereafter a county tax supervisor, tax collector and electrical inspector shall be elected, each of whom shall serve a 4-year term. Terms of office to commence December 1, 1967 following election and when officers so elected take office, terms of incumbents to terminate. Vacancies arising from any cause other than expiration of term to be filled by appointment for unexpired term by county commissioners.] To Counties, Cities and Towns.

HB 880 - (Yadkin) Introduced by Haynes
"To fix the compensation of the members of the Board of County Commissioners of Yadkin County." [Authorizes board of comm'rs to fix salary of chairman of board at not to exceed $75 per month, and travel and expense allowance within Yadkin County of not to exceed $25 per month, and to reimburse him for necessary travel and expenses incurred outside county; further authorized to set salary of other comm'rs at not more than $75 per month and to reimburse each for necessary travel and expenses outside Yadkin County.] To Local Government.

HB 881 - (Yadkin) Introduced by Haynes
"To provide for the election of the Board of Education of Yadkin County." [Appoints Board of Education of Yadkin County, effective first Monday in April, 1967, as follows: Linberg W. Swaim, Edwin M. Speas and John W. Conaway for terms expiring on or about first Saturday in April, 1969 and W. H. Poindexter, Jr. and Leon F. Thomasson for terms expiring on first Saturday in April, 1971. Beginning with primary in 1968, and biennially thereafter, vacancies on county board of education due to expiration of terms shall be filled in non-partisan election at time of regular primary election. Nomination shall be by filing in prescribed time and manner with county board of elections and payment of $5 filing fee and shall be open to any registered voter residing in county. Candidates receiving highest number of votes shall be elected for 4-year terms. Vacancies on board caused by death, resignation or similar cause shall be filled within 30 days by appointment for remainder of term by remaining members of board. If vacancy created after election, but before member qualified, it shall be filled for term by members of board with whom member causing vacancy would have served. Vacancies not filled within 30 days shall be filled by appointment of State Board of Education. Board shall be governed by procedures and have all powers and duties of boards of educatio set forth in GS 115 (Education).] To Education.

HB 882 - (Alexander) Introduced by Kincaid
"To make the provisions of Article 6A of Chapter 153 of the General Statutes, relating to the fixing of compensation of county officials and employees applicable to Alexander County." [As title indicates, adds Alexander to list of counties (GS 153-48.5) to which GS Ch. 153, Art. 6A, authorizing county commissioner to set compensation of county employees, applicable.] To Local Government.

HB 883 - (Caldwell, Alexander) Introduced by Kincaid
"To amend G.S. 105-280 as the same applies to Caldwell and Alexander Counties so as to fix the valuation date for inventories for ad valorem property tax purposes as the first day of taxpayer's fiscal year." [Provides that when property required to be listed pursuant to G.S. 105-280 consists of inventories including goods held for resale, raw materials, goods in process and other goods and materials held and used in connection with taxpayer's mercantile or manufacturin business, such inventories to be listed as directed in GS 105-280 except that in case of fiscal year taxpayer, value placed on such property shall be its value on first day of taxpayer's last fiscal year which began prior to date on which such property is required to be listed for ad valorem tax purposes. Effective January 1, 1968.] To Local Government.

HB 884 - (Vance) Introduced by Church
"To revise and consolidate the Charter of the City of Henderson and to repeal prior charter acts." [As title indicates, continues City of Henderson with general municipal corporate powers, and within existing boundaries which are to be set forth on official map and metes and bounds description to be maintained in offic of city manager; specifies boundaries of four wards of city. Provides for board of aldermen, to consist of two aldermen from each ward to serve two year terms and to be elected from wards one per ward each year, except that at May 1967 election

one alderman shall be elected from each ward to fill office of alderman elected in 1965 and aldermen elected in 1966 shall hold over until 1968 election; mayor to be elected at large for two year term; if no candidate receives majority vote for any office, second high vote-getter entitled to request runoff; nomination to be by filing of candidacy procedure. Provides for organization and procedures of board of aldermen, with ayes and noes required on all votes involving expenditure of over $1,000 and mayor having casting vote only. Designates mayor as chief executive officer with authority to authorize appointment by manager of special police and firemen, to suppress riots, to sign contracts, and to serve as ex officio member of all boards and comm'ns. Provides for selection by board of aldermen of city manager, who need not be a city resident when appointed, who shall be chief administrative officer, and shall appoint all officers and employees except city clerk, revenue collector, treasurer, and attorney (to be elected annually by board). Gives city police extraterritorial jurisdiction anywhere within Vance County. Specifies various specific powers of board, including authority to require property owners to provide adequate drainage or enter and construct such facilities at expense of owner with cost a lien against premises; authorizes granting of franchises for not over 30 years and spells out procedures for granting and enforcing (including authority to compel performance by suit in superior court) or alternatively appointment of receiver to perform franchised service; spells out city's taxing powers and procedures for enforcement; authorizes board to sell any personal property of city at private sale and to sell realty after advertisement; authorizes board to make investigations and for that purpose to subpoena witnesses and compel production of documents; authorizes board to grant corner lot exemptions from assessments for water and sewer, classified according to use; authorizes assessments without petition for street improvements where project not over 3,000 feet, or street unsafe, or to connect improved streets, or to widen existing streets. Authorizes city to exercise extraterritorial zoning, planning, subdivision control, building regulation, technical codes, and mapped streets authority within city's planning area of one to 1-1/2 miles extraterritorial area (to be established coincident with or with reference to geographic boundaries); spells out procedures for establishment of subdivision controls and permissible scope of such controls (including orderly development etc., and required facilities); defines subdivisions as excluding combinations of previously platted lots or portions thereof if total number not increased, division into parcels greater than ten acres if no street right-of-way dedication involved, and divisions of lots no greater than two acres into not more than three lots. Spells out procedure for exercise of mapped street powers (under which city may acquire areas within mapped lines without paying for value of improvements). Requires claims against city to be presented to board within 90 days after happening of injury; exempts contracts involving less than $1,000 from provisions of GS 160-279 (requirements for contracts to be in writing and secured). Repeals six designated acts, and provides savings clauses.] To Counties, Cities and Towns.

HB 885 - (Onslow) Introduced by Ragsdale by request

"To make Chapter 85 of the General Statutes of North Carolina inapplicable to certain parts of Onslow County." [Exempts portions of county lying outside city limits of any incorporated city or town from GS Ch. 85 (Auctions and Auctioneers).] To Counties, Cities and Towns.

HB 886 - (Onslow) - Introduced by Ragsdale, Mills and Mohn

"To provide for the nomination and election of the members of the Board of Education of Onslow County." [Provides that Onslow Board of Education shall consist of seven members elected for 4-year terms. In primary election held in county in 1968 each political party shall nominate, at same time and in same general manner as county officers are nominated, four candidates for board of education. Nominees residing in Jacksonville and Richlands township who receive highest number of votes in respective primaries shall be declared nominated and two nominees in respective party primaries receiving next highest number of votes, regardless of which township in which he resides, shall be declared nominated.

[Page Omitted. Digest of HB 886 continues on page 563.]

Persons so nominated shall be placed on ballot of county to be voted upon at large in 1968 general election. In primary election held in county in 1970 each political party shall nominate, at same time and in same general manner as county officers are nominated, three candidates for board of education. Nominees residing in White Oak, Swansboro and Stump Sound townships who receive highest number of votes in respective primaries shall be declared nominated. Persons so nominated shall be placed on ballot of county to be voted upon at large in 1970 general election. Quadrennially thereafter, from same districts or at large members to be elected for 4-yr terms. Vacancies in board shall be filled immediately by county executive committee of political party of member causing vacancy and the person appointed shall serve for unexpired term.] To Education.

HB 887 - (Onslow) Introduced by Ragsdale, Mills and Mohn

"To grant the power of eminent domain and the authority to levy, collect, and expend funds for watershed improvement programs in Onslow County." [Authorizes Onslow board of comm'rs to levy, collect and expend special "watershed improvement tax" of up to 5¢ per $100 property valuation, without election provided for by GS 139-39, - 40 (governing expenditures by counties for watershed improvement programs); tax levy declared special purpose and expenditures declared necessary expense. Adds to GS Ch. 139, Art. 2 new section conferring power of eminent domain on watershed improvement districts to permit condemnation of lands for GS Ch. 139 (relating to soil and water conservation) purposes; provided that eminent domain power exercised only after district application to State Soil and Water Conservation Committee and finding, conclusive, by committee that purpose proper. Actual condemnation to conform, as nearly as possible, to GS Ch. 40, Art. 2 (relating to condemnation) provisions; interest in land acquired to be used in manner (including sale, lease or rental) trustees deem best. Defines certain terms used in new section. Adds to GS Ch. 139,Art 3 new section providing for eminent domain powers (as above) to apply to counties authorized to levy watershed improvement; for such purpose county to be considered watershed improvement tax district and commissioners considered trustees of applicant district.] To Counties, Cities and Towns.

HB 888 - (Durham, Wake) Introduced by Johnson, Bunn, McMillan, Twiggs, Hofler, Royall and Penny

"To amend Chapter 168 of Public-Local Laws 1939, as amended relating to the Raleigh-Durham Airport." [Adds provision to SL 1959, Ch. 755, Sec. 3 providing that cities of Raleigh and Durham and Wake and Durham Counties be vested with an undivided interest in and to lands so acquired, owned, controlled and occupied in proportion to respective payments made by several cities and counties to acquisition and improvement of such lands and to maintenance of Airport established thereon. Authorizes Wake and Durham counties and cities of Raleigh and Durham upon approval of R-D Airport Authority to convey to State, or to any public board, municipality or authority without necessity of complying with provision of GS 160-59 (Public sale by governing body; private sale to other governmental units) any real properties vested in said counties and cities and comprising a part of lands held for airport purposes, in exchange for a conveyance of lands vested in State or in any other public board, municipality etc.

Adds to SL 1959, Ch. 755, Sec. 4 provision that power of Wake and Durham counties to issue bonds for airport purposes granted in GS 153-77(12) shall include Airport and Airport Authority established by this act with bonds to be issued in conformity with provisions of County Fiscal Control Act. Adds to SL 1959, Ch. 755, Sec. 6 proviso that if funds derived from issues of bonds by Wake and Durham counties are hereafter contributed to maintenance and development of R-D Airport, contributions from such sources shall not change representation on said Board.] To Judiciary 1.

HB 889 - (Wake) Introduced by Johnson, McMillan , Bunn and Twiggs

"To amend Chapter 664 of the Session Laws of 1961, the Charter of the Town of Garner." [Adds to Garner Charter provisions: (1) authorizing street assessments without petition where project not longer than 1,200 feet, or street is unsafe, or to connect existing streets, or to widen improved streets; (2) authorizing establishment of mapped street controls (permitting town to adopt official map with projected street lines and thereafter to acquire land between such lines at unimproved value if notice of building within lines not given to town); (3) authorizing acceptance of dedications of land for town purposes and provides that acceptance of street easements constitutes completed dedication; (4) authorizing corner lot exemptions from water and sewer assessments within prescribed limits; (5) authorizing use of acreage charges for water and sewer connections, and contracts for water or sewer extensions in which town agrees to reimburse developer for part of initial costs from acreage charge revenues; (6) authorizing cleaning and repairing of sidewalks, and clearing of weeds and debris from private property, by town and charging of costs to abutting owners as a lien on the property; (7) requiring tort claims against town to be presented to aldermen within 90 days after due or accrued; places one-year limitation on such suits against town; requires real property claims to be presented to aldermen within two years after alleged use by town; contains special provisions concerning effects of minority or incapacity; (8) and authorizing aldermen to authorize town manager to settle claims against town for personal injury or property damage not exceeding $100.] To Judiciary 1.

HB 892 - (Cumberland) Introduced by High and O'Hanlon

"To authorize the Board of County Commissioners of Cumberland County and the City Council of Fayetteville to release certain taxes." [Authorizes commissioners and council to release and discharge all taxes assessed and levied or to be assessed and levied for 1967-68 and ensuing fiscal years on property situated in Fayetteville or County which is acquired by US or its agency for federal building or other federal purpose.] To Judiciary 1.

HB 895 - (Wilson) Introduced by Paschall

"To make it a misdemeanor to abandon domestic animals on public highways, public places or property of another in Wilson County." [As title indicates.] To Judiciary 1.

HB 896 - (Durham) Introduced by Penny, Royall, and Hofler

"To amend G.S. 160-205 so as to authorize municipalities to use the procedure provided in Article 9 of Chapter 136 of the General Statutes as specifically authorized by G.S. 136-66.3(c) in acquiring lands, easements, privileges, rights-of-way and other interests for public purposes in the exercise of the power of eminent domain, and providing that this act shall apply only to City of Durham." [Amends GS 160-205 by adding provision that in cases indicated in title, procedures of Art. 9, Ch. 136 (condemnation) to be applicable to Durham without being limited to streets constituting part of State Highway System.] To Judiciary 2.

HB 897 - (Durham) Introduced by Penny, Hofler and Royall

"To amend Section 3 of the Charter of the City of Durham, being Chapter 142, Private Laws 1921, as amended from time to time, in reference to division of the City of Durham into wards and voting precincts." [Redefines Durham City ward (six) lines by metes and bounds by amending Charter.] To Judiciary 2.

Session: House -- 12 noon, May 2, 1967

PUBLIC BILLS INTRODUCED -- HOUSE, 12 NOON SESSION, MAY 2

HB 898 - Introduced by Roberson and Burrus
"To authorize manufacturers a reimbursement of an amount equivalent to the franchise tax on the gross receipts for piped gas used as an ingredient or component part of a manufactured product." [Identical with SB 381, digested in the Senate section of today's bulletin.] To Finance.

HB 899 - Introduced by Love
"To amend subsection (g) of G. S. 20-116 relating to the manner in which loads on vehicles must be secured." [Amends cited subsection by adding language indicating that requirements of secure loads may be met by having the load covered and secured so as to prevent shifting, etc., as well as by having the vehicle constructed or loaded to prevent shifting, etc. (now, refers only to construction and loading of vehicle).] To Roads.

HB 900 - Introduced by Auman
"Amending G. S. 106-568.8 and G. S. 106-568.10, relating to the promotion of agricultural research and dissemination of findings, so as to require referendums to be held every six years rather than every three years." [As title indicates.] To Agriculture.

HR 901 - (Joint Resolution) Introduced by Jordan and Taylor of Transylvania
"Memorializing the Congress of the United States to enact a plan for the sharing of Federal taxes with the states and their political subdivisions." [Requests U. S. Congress to enact into law measures to strengthen state and local governments by sharing federal taxes with states and their political subdivisions out of funds derived from cut-backs in projected new expansion of grant-in-aid programs and as substitute for portion of exisiting grant-in-aid expenditures. Secretary of State to transmit copies of Resolution to President, President of U. S. Senate, Speaker of U. S. House of Representatives, Minority Leaders of U. S. Senate and House and each member of N. C. congressional delegation. Identical with SR 383.] To Rules.

HB 902 - Introduced by Godwin of Gates and others
"Relating to a facility to house the President of the University of North Carolina and his staff." [Identical with SB 379, digested in Senate section of today's bulletin.] To Higher Education.

HB 903 - Introduced by Gregory
"To amend the Safety Equipment Inspection Motor Vehicles Act (G. S. 20-183.2) so as to provide for annual inspection without reference to registration numerals within one year of the last inspection; to provide for inspection of motor vehicles acquired out of state but registered or required to be registered in this State." [Rewrites GS 20-183.2 (requiring safety equipment inspection) to provide as follows: (1) Every motor vehicle, trailer, semi-trailer, and pole trailer not including trailers with gross weight of 2500 lbs or less and house trailers, registered or required to be registered in State must display current approved inspection certificate on vehicle when vehicle is operated on streets and highways of State. (2) Every inspection certificate issued to be valid for not less than 12 months and expire at midnight on last day of month designated on said inspection certificate; makes it unlawful to operate any motor vehicle on highway until current inspection certificate is displayed indicating vehicle has been inspected within previous 12 months and found to comply with standard for safety equipment provided, (a) vehicles of type required to be inspected under

(1) above which are owned by resident of State, that have been outside of State continuously for 30 days or more immediately preceding expiration of then current inspection certificate shall within 10 days of re-entry to State be inspected if vehicle is to be drive in State, (b) any vehicle owned or possessed by dealer, manufacturer or transporter within State and operated on public streets and highways displaying dealer demonstration, manufacturer or transporter plate must have valid certificate of inspection and approval affixed to windshield except that such operator may display dealer demonstration, manufacturer or transporter plates from source of purchase to place of business or to inspection station provided it is within 10 days of purchase, foreclosure or repossession, (c) vehicles acquired by residents of State from dealers or owners located outside of State must upon entry to this State, be inspected and approved within 10 days after vehicle becomes subject to registration, (d) vehicles acquired by residents within State, not displaying current State inspection certificates must be inspected and have certificate attached within 10 days from date registration plate issued or if registration plate transferred, within (10) days of date of purchase and (e) owners of motor vehicles moving their residence to State from other states must within 10 days from date vehicles are subject to registration have same inspected and approve certificate attached. Incorporates present GS 20-183.2(d)(1). Provides that upon re-inspection, at inspection station other than one conducting original inspection, owner or operator to pay new fee. (Present GS 20-183.2(e) makes no specific provision for payment of new inspection fee when owner or operator has vehicle inspected at another safety equipment inspection station.)

Rewrites GS 20-183.4 to provide that any person, firm or agency licensed as a motor vehicle inspector station whose license is revoked or suspended or any applicant for such license whose application is refused, may, within 10 days from notice of revocation, suspension or refusal request a hearing before Commissioner with hearing to be conducted within 10 days of receipt of such request. (New) Commissioner may rescind order of suspension etc., or he may affirm. Applicant or licensee aggrieved by Commissioner's decision may following such decision file petition in Superior Court of Wake County or in county wherein applicant or license resides. No restraining order to issue against Dep't under this section until and unless Dep't has had at least five days' notice of petitioner's intention to seek such an order. (Now, any applicant refused a license, or any inspection station whose license has been suspended or revoked, may file petition in Superior Court of Wake County or in county where licensee or applicant resides for review of Commissioner's action provided that when such petition is filed in superior court 20 days notice be given Commissioner.)

Adds new subparagraph (c) to GS 20-183.8, providing that no person shall display any fictitious safety inspection certificate. Department authorized to take immediate possession of any safety inspection certificatewhich is fictitious or which has been otherwise unlawfully or erroneously issued or unlawfully used. Persons violating subsection guilty of misdemeanor punishable by fine not to exceed $50 or imprisonment not to exceed thirty days. Identical with SB 380.] To Highway Safety.

HB 904 - Introduced by Hamrick and Bailey

"To provide for the continuance of the North Carolina Advancement School and to appropriate funds for its operation." [Appropriates to State Board of Education $500,000 for fiscal year ending June 30, 1968, and like sum for following fiscal year, for operation of Advancement School. Adds new subchapter XII to GS Ch. 115 as follows: Provides that State Board of Education has responsibility of operating Advancement School as phase of public school system; declares experimental purpose of school. Board of Governors of school to be composed of 10 citizens, one of whom is to always be Forsyth-Winston School Superintendent; other members to serve terms of not more than three consecutive years.

Board to select its own chairman yearly and meet at least four times yearly; members receive no compensation other than actual expenses. Board to determine school's policy, review its operation, and report findings to State Board of Education, which shall appoint Director for indefinite term to have general responsibility for administration of school, including recommending positions and personnel to Board of Governors, preparing proposed budget, and developing and implementing curriculum. Effective July 1, 1967.] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 147 - Rear view mirrors, as amended in House 4/17 and 4/18. Conference report adopted. [Conference report digested in Senate section of today's bulletin].
SB 162 - Car financial responsibility, as amended in Senate 4/21. Passed second and third readings.
SB 198 - Savings and loan shares. Received from Senate; sent to Judiciary 1.
SB 199 - Savings and loan advisors, as amended in Senate 4/14. Reported favorably.

HB 290 - Drivers license surrender, as amended in House 3/24 and 3/28 and in Senate 4/28. Received for concurrence in Senate amendment; concurred.
HB 471 - Senate & House districts. Postponed to 5/4.
HB 596 - Alcoholic centers costs. Reported favorably.
HB 616 - Charitable immunity no defense. Postponed to 5/4.
HB 632 - Mortgage guaranty insurance. Reported favorably.
HB 639 - Farm commodity tax assessment. Re-referred to Local Government.
HB 683 - County hospital lease. Reported favorably.

LOCAL BILLS

SB 204 - (Transylvania) Brevard ABC elections. Received from Senate; sent to Propositions and Grievances.
SB 220 - (Cleveland) Kings Mt'n officials salaries. Received from Senate; sent to Local Government.
SB 235 - (Camden) Commissioners' salaries. Received from Senate; sent to Salaries and Fees.
SB 236 - (Camden) Coroner compensation. Received from Senate; sent to Salaries and Fees.
SB 237 - (Camden) Comm'rs to fix employee pay. Received from Senate; sent to Salaries and Fees.
SB 244 - (Camden) Additional sheriff's pay. Received from Senate; sent to Salaries and Fees.
SB 273 - (Union) Monroe salaries. Received from Senate; sent to Counties, Cities and Towns.
SB 283 - (McDowell) Officials pay. Received from Senate; sent to Local Government.
SB 284 - (McDowell) Commissioners pay. Received from Senate; sent to Local Government.
SB 298 - (Bladen) Library tax levy. Received from Senate; sent to Finance.
SB 300 - (Onslow) Beer license collections. Received from Senate; sent to Local Government.
SB 306 - (Guilford) High Point council pay. Received from Senate; sent to Counties, Cities and Towns.
SB 311 - (Camden) School board compensation. Received from Senate; sent to Salaries and Fees.
SB 312 - (Stanly) Vocational workshop funds. Received from Senate; sent to Counties, Cities and Towns.

SB 315 - (Polk) Ambulance aid. Received from Senate; sent to Local Government.
SB 316 - (Polk) Columbus land sale. Received from Senate; sent to Local Government
SB 317 - (Polk) Commissioners' salaries. Received from Senate; sent to Local Government.
SB 318 - (Polk) Deeds register tax collecting. Received from Senate; sent to Local Government.
SB 322 - (Carteret, Craven, Pamlico) Trash removal regulation. Received from Senate; sent to Counties, Cities and Towns.
SB 323 - (Carteret, Craven, Pamlico) Abandoning domestic animals. Received from Senate; sent to Judiciary 1.

HB 222 - (Cumberland) Fayetteville beer and wine, as amended in House 3/29. Postponed to 5/4.
HB 387 - (Catawba) Annexation limitation. Passed third reading.
HB 791 - (Chatham) Pittsboro ABC stores. Withdrawn from Judiciary 1; re-referred to Propositions and Grievances.

BILLS RATIFIED

SR 344 - (Joint Resolution) Memorialzing Stanford. [R 44]
SR 346 - (Joint Resolution) Toasting Toastmasters. [R. 45]

HB 252 - (Bladen) Elected board of education. [Ch. 258]
HB 268 - Chiropractic amendments, as amended in Senate 4/28. [Ch. 263]
HB 329 - (Mecklenburg) Huntersville officers' pay. [Ch. 264]
HB 354 - Farm clearing tax deduction. [Ch. 259]
HB 369 - (Duplin) Officials' pay. [Ch. 265]
HB 373 - (Duplin) Homestead fees. [Ch. 266]
HB 374 - (Duplin) Sheriff prisoner feeding fee. [Ch. 267]
HB 376 - (Franklin) School board compensation. [Ch. 268]
HB 416 - (Surry) Commissioners' compensation. [Ch. 269]
HB 430 - (New Hanover) Officials salaries. [Ch. 270]
HB 440 - A. G. men covered. [Ch. 260]
HB 444 - (Anson) Welfare board per diem. [Ch. 271]
HB 455 - (Anson) Consolidated county schools, as amended in House 4/13. [Ch. 261]
HB 478 - (Vance) Consolidated school board. [Ch. 262]
HB 484 - (Forsyth) County officials compensation. [Ch. 272]
HB 501 - Exec Mansion Fine Arts Comm. [Ch. 273]
HB 526 - (Buncombe) School board elections. [Ch. 274]
HB 601 - (Johnston) Commissioners salaries. [Ch. 275]
HB 641 - (Richmond) Reorganizing school units, as amended in House 4/26. [Ch. 257]
HB 845 - (Martin) Hamilton election ballots. [Ch. 276]

Next session of House: 12 noon, Wednesday, May 3, 1967

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 61
Wednesday, May 3, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 385 - Introduced by Scott and others
"To make appropriations to the Department of Mental Health for grants-in-aid to provide day care and residential care for certain mentally retarded children." [Appropriates from General Fund to State Department of Mental Health $148,000 for fiscal year ending June 30, 1968, and $240,000for fiscal year ending June 30, 1969 for monthly grant-in-aid of $40 per person to be paid to state licensed day care facility for moderately or severely retarded children and $120 monthly per person for such children aged six years or less in state licensed nonprofit residential facility, not state supported. Facilities shall be selected by Department to provide more adequately for mentally retarded in community and to encourage care for persons near their families. Also appropriates from same source to Dep't $41,420 for each of ensuing two fiscal years for additional personnel to administer and supervise said programs, including two social work supervisors, one nurse supervisor, one budget officer, one stenographer, and travel expense.] To Appropriations.

SB 386 - Introduced by Buchanan
"To prohibit counties and incorporated municipalities from levying a tax on spirituous liquors and fortified wines sold in A.B.C. stores." [Adds to GS 18-85 (regarding 12% retail taxes on spirituous liquors) provision that no county or incorporated municipality shall levy any tax on any beverage taxed by this section.] To Propositions and Grievances.

SB 387 - Introduced by McLendon by request
"To amend G.S. 58-251.1 (a) (2) a. to include accident insurance policies as among the several types of policies contestable for fraudulent misstatements." [Amends G.S. 58-251.1 (a)(2) a. to add "accident insurance" policies to those which must include a clause that after two years from date of issue or reinstatement no misstatements except fradulent misstatements made by applicant in application for policy shall be used to void policy or deny a claim arising after expiration of two-year period. Specifically, places "accident insurance" in category of policies which may include stated clause in its entirety. Effective August 1, 1967 and applicable only to policies written or renewed after this date.] To Insurance.

SB 388 - Introduced by Bailey
"To amend the Vehicle Financial Responsibility Act of 1957 (G.S. 20-309(e); G.S. 20-311) so as to clarify the registration revocation provisions thereof." [Amends GS 20-309(e) to provide that vehicle registration shall be revoked and operator's license suspended for failure to certify having financial

responsibility when (after notification of cancellation of insurance) owner fails to surrender registration plate to Department of Motor Vehicles employee designated by Commissioner for that purpose or to deposit plate in mail addressed to Department of Motor Vehicles in Raleigh (now, "forwarded to the Department of Motor Vehicles"); specifies that the registration plate to be revoked is the one "issued for the vehicle at the time liability insurance was terminated or the current registration plate for the vehicle if the year registration has changed." Makes conforming amendment to GS 20-311.] To Judiciary 1.

SB 389 - Introduced by Bailey

"To amend Section 55 A-3 of the General Statutes to clarify its applicability." [Amends GS 55A (Non-profit corporation act) Sec. (a)(3) to provide that act shall not apply to hospital and medical service corporations "as defined in Chapter 57 of the General Statutes which were incorporated prior to July 1, 1957" (quoted segment now reads "regulated by chapter 57 of the General Statutes"). Identical with HB 916.] To Corporations.

SB 390 - Introduced by Burney

"To increase the annual compensation of Superior Court Solicitors." [Amends GS 7-44 (general compensation of solicitors of solicitorial districts) to raise annual salary of solicitors to $15,000 (now, 12,000).] To Appropriations.

SB 391 - Introduced by Shuford and others

"To make certain additional appropriations to the State Board of Education for Catawba Valley Technical Institute during the next biennium." [Appropriates from General Fund to State Board of Education for cited institute $121,160 for construction funds and $2,361 for current expenses during 1967-68 fiscal year and $17,639 for current expenses and $268,233 for equipment for 1968-69 fiscal year.] To Appropriations.

SB 392 - Introduced by Nielson and others

"To rewrite Article XIII of the North Carolina Constitution to provide a practical procedure for amending or revising the State Constitution by way of a constitutional convention." [Proposes amendment to Art. XIII, Sec. 1, NC Constitution to permit General Assembly to submit question on calling constitutional convention by affirmative vote of majority of all members in each house (now, two-thirds of all members of each house). Amendment provides that question is to be submitted at special election held not less than three nor more than nine months following ratification by General Assembly. Prior to popular vote, General Assembly to provide for preparatory commission to assemble information on constitutional questions; if majority of state voters approve, delegates to be chosen at next general election; convention to convene within one month of end of General Assembly session following election of convention delegates. Any qualified state voter eligible to be delegate; each senatorial district to elect same number of delegates as senators elected to NC Senate. Convention proposals not to be submitted to voters unless printed and upon desks of delegates in final form at least 3-days during which convention was in session prior to final passage and has received assent of majority of all delegates. Ayes and noes on any question to be entered in journal upon request of one-tenth of delegates present. Convention proposals to be submitted to voters at first regular or special statewide election not less than 2-months after final action by convention; approval to be effected upon majority vote of qualified voters voting and to take effect 30 days after date of vote. Proposed amendment to be submitted to voters at next general election; voting to be in accordance with general election with general election laws; sets out ballot. If majority of voters favor, Governor to certify amendment under Great Seal of State to Secretary of State, who shall enroll amendment certified among permanent records of office.] To Constitution.

SB 393 - Introduced by Wood

"Rewriting G.S. 106-446 relating to assessments on cotton and farm products under the North Carolina Agricultural Warehouse Act." [Provides that expenses of administering warehouse system provided by article "shall" be paid by Board of Agriculture (now, "may" be paid). Adds new provision that Board shall have power to make good on losses on soybeans, corn, wheat, and grain sorghum through operating system by levying assessment of 1¢ per bushel on those products sold through commercial channels for period necessary to pay off loss. Assessment to be paid by producer of products to collecting handler (the legal entity purchasing those products from producer). Collecting handler shall collect assessment at time he first makes any payment or credit to producer's account for those products; handler to transmit assessment and reports on assessments to NC Department of Agriculture no later than 10th day of month following month in which assessment was or should have been levied, report to contain date of report, reporting period covered, producers from whom assessment collected, and total bushels collected from each. Failure of handler to collect shall not relieve him of obligation to remit assessment. Each handler required to make reports shall maintain books and records required by Agriculture Commissioner or his representative, to be available for inspection at least two years beyond 12th month period of applicability. Department of Agriculture may adopt regulations concerning collection and enforcement. Funds collected shall be held in State Treasury to credit of State Warehouse System and be part of guarantee fund per GS 106-435 (fund for support of system).] To Agriculture.

SB 394 - Introduced by Wood

"Amending G.S. 20-279.34 so as to increase the minimum and maximum amounts of motor vehicle liability insurance on the assigned risk plan." [Raises maximum amount of motor vehicle liability insurance for injury or death to one person that assigned risk carrier can be required to issue to an assigned risk applicant to $20,000 (now, 10,000) and to $40,000 for multiple injury or death (now, $20,000). Effective July 1, 1967.] To Insurance.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 89 - Beer-wine transportation. Passed second and third readings.

SB 135 - Glue sniffing prohibition. Passed second and third readings.

SB 146 - Drugged driving prohibition. Amended to provide that person charged with being under influence of non-narcotic drug, may defend himself upon proof that drug had been prescribed by licensed physician within 30 days of alleged offense. Failed to pass third reading.

SB 161 - Equitable "Safe Driver Plan", as amended in House 5/1. Concurred in House amendment.

SB 167 - Safe tire use requirement. Reported favorably as amended.

SR 177 - (Joint Resolution) Conservation-Development Study. Reported favorably as to committee substitute. Committee substitute adopted placing responsibility for study outlined in original bill with a 9-member Study Comm'n, three each to be appointed by Governor, President of Senate and Speaker; providing for organization of Comm'n; and authorizing its expenditures to be met from contingency and emergency fund. (original bill directed Legislative Research Comm'n to make study). Rereferred to Appropriations.

SB 180 - Auto property damage claims. Reported favorably as amended.
SB 216 - Suspension notice servers. Reported favorably as amended; re-referred to Appropriations.

HB 159 - Ambulance services (House committee substitute 4/11), as amended in House 4/18. Reported favorably.
HB 212 - Provisional licensee hearing, as amended in House 3/30. Floor amendment adopted removing power of Department of Motor Vehicles, upon good cause shown in hearing, to extend period of suspension of provisional operators license after conviction of moving violation resulting in $100 damage. Passed second and third readings.
HB 272 - Handicapped driver flags, as amended in House 4/6. Reported favorably.
HB 277 - Red Cross permanent plates, as amended in House 3/30. Passed second and third readings.
HB 383 - Corp. franchise tax changes. Passed second and third readings.
HB 497 - Insurance Co. increase surplus. Reported favorably.

LOCAL BILLS

SB 205 - (Rockingham) ABC officers jurisdiction. Passed.
SB 282 - (McDowell) Judge and attorney salaries. Passed.
SB 343 - (Robeson) Municipal ABC stores. Passed.
SB 347 - (Jackson) Sylva ABC election. Passed.

HB 375 - (Duplin) Courts probate fee. Passed.
HB 387 - (Catawba) Annexation limitation. Received from House; sent to Counties, Cities and Towns.
HB 422 - (Alleghany) Assistant CSC salary. Passed.
HB 438 - (Catawba) ABC board powers. Passed.
HB 684 - (Wake) Abandoning domestic animals. Passed.

BILLS RATIFIED

SB 162 - Car financial responsibility, as amended in Senate 4/21. [Ch. 277]
SB 232 - (Wilkes) School board conveyance. [Ch. 278]

HB 150 - Onslow tech. [Ch. 279]
HB 290 -Drivers license surrender, as amended in House 3/24 and 3/28 and in Senate 4/28. [Ch. 280]
HB 346 - Real estate license amendment. [Ch. 281]

Next session of Senate: 12 noon, Thursday, May 4, 1967.

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BULLETIN NO. 61
Wednesday, May 3, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 905 - Introduced by Roberson and Burrus
"To appropriate funds for the Belhaven Memorial Museum." [Appropriates to Department of Archives and History $10,000 for renovation, repair, altering and furnishing of one or more buildings for Belhaven Memorial Museum. Effective July 1, 1967.] To Appropriations.

HB 906 - Introduced by McKnight
"To rewrite Article XIII of the North Carolina Constitution to provide a practical procedure for amending or revising the State Constitution by way of a Constitutional Convention." [Identical with SB 392, digested in the Senate section of today's bulletin.] To Constitutional Amendments.

HB 907 - Introduced by Britt of Johnston
"To provide for the effectiveness of after-acquired property clauses affecting real estate." [Adds new GS 47-20.1, making after-acquired property clause effective to pass after-acquired property (real property which grantor of security instrument containing such a clause acquires subsequent to execution of instrument) as against lien creditors or purchasers for value from said grantor, only from time of registration of instrument; clause to be effective for not over five years from registration, unless extended. Extension(s) of registration for additional five year period(s) allowed if notice of extension registered within six months preceding expiration of registration, and if notice meets prescribed requirements. Register of deeds is to index notice of extension in same manner as original instrument. Effective midnight June 30, 1967 and applicable to all instruments registered thereafter.] To Judiciary 1.

HB 908 - Introduced by Britt of Johnston
"To amend the laws relating to possessory liens on personal property." [Creates new GS Ch. 44A entitled "Statutory Liens on Personal Property" and providing as follows: (1) Defines: "legal possessor" as person entrusted with possession of personal property by owner, or person in possession and entitled thereto by operation of law; "owner" as person having legal title, or lessee of one having legal title, or debtor entrusted with possession by secured party entitled to possession, or person entrusted with possession by employer or principal who is an owner under any of above, "security interest" as any interest in personal property subject to provisions of Art. 9 of Uniform Commercial Code or any other interest intended to create security in real or personal property; "secured party" as a person holding security interest. (2) Any person who alters, repairs, services, treats, or improves personal property in ordinary course of business pursuant to contract with owner or legal possessor, has lien, with priority over perfected and unperfected security interests, for lesser of reasonable charges for services and materials, or contract price, or $100 if lienor has dealt with a legal possessor who is not an owner. (3) Any person in business of operating hotel, motel or boarding house has a lien, not having priority over any prior perfected security interest, upon all baggage, vehicles and other personal property brought upon premises by guest or boarder who owns the baggage to extent of reasonable charges for room and other items of services furnished at request. (4) Any person in business of boarding animals has a lien, with priority over perfected and unperfected security interests, on animals boarded for reasonable charges for boarding contracted for with owner or legal possessor of animal and

which become due within 90 days preceding notice of sale provisions of act. (5) Liens arise when lienor acquires possession of property and terminate when lienor voluntarily relinquishes possession, or when owner, agent, legal possessor or other person having security or other interest tenders prior to sale amount secured by lien plus reasonable storage and other expenses of lienor. (6) If charges for which lien claimed remain unpaid or unsatisfied for 30 days following maturity of obligation to pay, lienor may enforce by private sale (held in commercially reasonable manner and after prescribed mailed notices and if public sale not requested by one claiming interest in property) or public sale (held in accord with detailed mailed notice to same persons as for private sale, posting at court-house door, and place and time requirements). (7) If property upon which lien claimed is motor vehicle that is required to be registered, lienor shall send copy of notice of sale to Commissioner of Motor Vehicles as required by GS 20-114(c). (8) If Lienor fails to comply substantially with sale procedures he shall be liable to person having legal title to property for $100 plus reasonable attorney's fee in addition to actual damages. (9) Proceeds of sale to be applied to payment of obligation secured by lien and reasonable sale expenses with surplus to be paid to person entitled thereto. (10) Purchaser for value at sale, and purchaser for value without notice of defect in sale who is not lienor or his agent, acquires title free of any interest over which lienor was entitled to priority. (11) Specifically repeals following aricles and sections of GS Ch. 44: Art. 3 (liens on vessels), Art. 5 (liens of hotels), Art. 6 (liens of stable keepers), Art. 7 (liens on colts, calves and pigs), Art. 1, Secs. 2, 3, 4 and 5 (Mechanics; laborers' and materialmen's liens on personal property repaired, lumber, processing, and methods of sale of goods at public auction.) (12) Effective midnight, June 30, 1967.] To Judiciary 2.

HB 911 - Introduced by Bulliss and Pickard

"To make appropriations to the Department of Mental Health for grants-in-aid to provide day care and residential care for certain mentally retarded children." [Identical with SB 385, digested in the Senate section of today's bulletin.] To Appropriations.

HB 912 - Introduced by Burden and Jernigan

"To allow permits for the operation of certain farm equipment on the highways to be issued on an annual basis and to extend the distance over which such equipment may be operated without the use of flagmen from four to ten miles." [Amends GS 20-116(j) (operation of wide farm equipment on raods) to provide that permits to operate farm equipment up to 15-1/2 feet wide on State and Federal highways may be issued on annual basis and shall expire January 1 of year following year of issuance" (now, on seasonal basis). Increases to ten miles (now four): (a) the maximum distance such equipment are permitted to travel on highways; (b) the maximum distance such equipment may of necessity travel on highways without flagman preceding and following; (c) the maximum distance such equipment may travel on highways on Sundays or holidays (now reads, "Saturdays, Sundays or holidays"). Effective Jan. 1, 1968.] To Roads.

HB 913 - Introduced by Strickland and others

"To require greater emphasis on the more detailed instruction in the problem of alcoholism as taught in the public schools." [Adds section to GS Ch. 115, Subch. X, Art. 24 (dealing with public school courses of study) to provide for standard course of approximately five hours on subject of alcoholism, its causes and results, to be taught in ninth grade or other appropriate high school grade; course to be positive and detailed and to be required, not elective, of all pupils other than those whose parents or person standing in place of parents submit written request that pupil be excused from such course.] To Education.

HB 916 - Introduced by Bunn

"To amend Section 55 A-3 of the General Statutes to clarify its applicability." [Identical with SB 389 digested in Senate section of today's bulletin.] To Corporations.

HB 917 - Introduced by Mills

"To amend Article 34, Chapter 160 of the General Statutes, being the revenue Bond Act of One Thousand Nine Hundred Thirty-eight, so as to authorize the securing of funds in advance of delivery of revenue bonds sold to the United States of America and to authorize issuance of one bond payable in installments." [Adds provision to GS 160-416 (procedure for authorization and undertaking of revenue bonds) that municipal corporation selling revenue bonds to US or US agency may, any time prior to actual delivery, authorize by resolution the borrowing from such vendee by execution of request for advance of funds repayable from sale proceeds of such bonds. Municipal governing body shall file certified copy of each such resolution and statement of advance made, its date, and interest rate with Local Government Commission before delivery. State Treasurer authorized to apply, at time of delivery, proceeds from sale of bonds to payment of aggregate principal amount of all such advances and interest accrued. Amends GS 160-417 (bond provisions) by adding provision that in case of single registered bond, it may be payable in installments.] To Finance.

HB 918 - Introduced by Barbee and others

"To provide for the numbering of seats in the State Senate and House of Representatives within multi-member senatorial and representative districts and to constitute each seat a separate office." [Adds new GS 163-113.1 providing as title indicates and that votes for any candidate in general election shall be effective only for seat for which he was nominated by a political party or filed independent candidacy. Adds GS 163-147.1 providing that in any Senate or House primary in multi-member district each candidate shall file with appropriate county board of elections, along with notice of candidacy, a notice designating by number the seat for which he seeks nomination; no candidate may file for more than one seat, and votes effective only for seat for which candidate filed. Also adds to GS 163-119 provision that each candidate for Senate or House in multi-member district shall file with appropriate county board of elections, along with notice of candidacy, notice designating numbered seat to which he seeks nomination. Adds to GS 163-124 provision that county boards of election for multi-member districts shall have ballots for membership in Senate and House printed to designate by number the Senate or House seat to which each candidate seeks nomination.] To Elections and Election Laws.

LOCAL BILLS INTRODUCED -- HOUSE

HB 909 - (Warren) Introduced by Speed and Church

"To fix the salaries of the chairman and members of the Warren County Board of Education." [Modifies GS 115-29 (compensation of school board members) to provide that Warren County Board of Education may fix per diem compensation for chairman and members of board not to exceed $20 and $15, respectively, and 7¢ per mile travelled to and from board meetings (by general law, $5 per diem and 7¢ per mile).] To Counties, Cities and Towns.

HB 910 - (Franklin) Introduced by Speed

"Relating to the salaries of certain officials of Franklin County." [Sets annual salaries of officials of Franklin County as follows: Clerk of the Superior Court $7,000; Assistant CSC $4,150; Deputy CSC $3,600; Additional Deputy CSC $3,300; Register of Deeds $6,200; First Assistant RD $3,650; Second Assistant RD $3,350; Sheriff $6,400; Deputy Sheriff No. 1 $4,800; Deputy Sheriff No. 2 $4,400; Deputy Sheriff No. 3 $4,400; Judge of Recorder's Court $4,000; Solicitor of Recorder's Court $3,600; and, Coroner $950. Authorizes Sheriff of Franklin

County to appoint in his discretion one or more deputy sheriffs in addition to those listed and to fix their compensation, total not to exceed $4,000 yearly. Provides that CSC salary to be his total compensation for all duties, including serving as judge of juvenile court and clerk of recorder's court. Effective July 1, 1967.] To Counties, Cities and Towns.

HB 914 - (Wilson) Introduced by Paschall
"To permit terms of court in Wilson County to be held in temporary quarters during the renovation of the Wilson County Courthouse." [Provides that terms of superior, general county, and inferior courts in Wilson County may be held in such places as shall be designated by Wilson Board of County Commissioners while county courthouse is being remodeled between ratification of act and Feb. 1, 1969.] To Judiciary 1.

HB 915 - (Wilson) Introduced by Paschall
"To provide for the appointment of list takers in Wilson County." [Modifies GS 105-287 (list takers and assessors) to authorize Wilson County Commissioners to limit number of list takers appointed in county and prescribe and allocate responsibility for tax listing and assessment in townships of county (under general law, these are largely the prerogatives of the tax supervisor).] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 25 - Highway patrol planes. Passed second reading.
SB 104 - Abortion justification (Senate committee substitute 3/30), as amended in Senate 4/4 and 4/5. Postponed to 5/3.
SB 155 - Chain store tax exemption. Withdrawn from Judiciary 1; rereferred to Finance.
SB 163 - County welfare fund transfers, as amended in Senate 4/28. Received from Senate; sent to Public Welfare.
SB 199 - Savings and loan advisors, as amended in Senate 4/14. Postponed to 5/4.
SB 219 - Noncourthouse comm'r meetings, as amended in Senate 4/26. Reported favorably.
SB 262 - School damage reward. Reported favorably.

HB 11 - Voting age amendment. Reported favorably as amended; placed on calendar for 5/9.
HB 140 - Servicemen voting age. Reported unfavorably.
HB 181 - Voting age amendment 2. Reported favorably; placed on calendar for 5/9.
HB 211 - Six month voter residence. Reported favorably.
HB 364 - Non-commercial clamming. Reported favorably.
HB 465 - 7% interest rate, as amended in House 5/1. Postponed to 5/4.
HB 467 - Veterans Comm'n & scholarships. Withdrawn from Appropriations; placed on calendar for 5/4.
HB 512 - Adoption of blood relatives. Clarifying floor amendment adopted. Passed second and third readings.
HB 529 - Judges to be attorneys. Reported favorably.
HB 532 - Hospital district bonds. Reported favorably.
HB 565 - Boiler inspection fees. Reported favorably.
HB 582 - Official records distribution. Reported favorably.
HB 596 - Alcoholic centers cost. Passed second and third readings.
HB 631 - County-water, sewer protection. Passed second and third readings.
HB 632 - Mortgage guaranty insurance. Passed second and third readings.
HB 656 - Tax penalty combat exemption. Reported favorably.

HB 673 - County orthopedic funds. Reported favorably.
HB 683 - County hospital lease. Passed second and third readings.
HB 789 - State condemnation procedure. Passed second and third readings.
HB 800 - Robeson Extension Unit funds. Reported favorably; rereferred to Appropriations.
HB 904 - Advancement school funds. Withdrawn from Education; rereferred to Appropriations.

LOCAL BILLS

SB 319 - (Union) Watershed tax increase. Received from Senate; sent to Judiciary 2.

HB 633 - (Forsyth) Fortune-telling unlawful. Passed.
HB 679 - (Carteret) Beaufort historic buildings. Passed.
HB 680 - (Carteret) Beaufort town seal. Passed.
HB 709 - (Harnett) CSC fund transfer. Passed.
HB 710 - (Lee, Harnett) Confiscated weapons. Passed.
HB 757 - (Carteret) Parking on Bogue Banks. Passed.
HB 767 - (Guilford) Firearms prohibition. Passed.
HB 779 - (Beaufort) Drainage districts. Withdrawn from Irrigation and Drainage; re-referred to Judiciary 2.
HB 781 - (Alamance) Closing-out sales exemption. Passed.
HB 793 - (Wake) Tax regs. and districts. Passed.
HB 804 - (Guilford) Disturbing peace. Passed.
HB 841 - (Guilford) Cap pistol caps. Passed.
HB 853 - (Lee) Temporary county offices. Passed.
HB 877 - (Wayne) Goldsboro charter revision. Passed.
HB 892 - (Cumberland) Exempt US property tax. Passed.
HB 895 - (Wilson) Abandoned animals. Passed.

Next session of House: 12 noon, Wednesday, May 4, 1967.

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BULLETIN NO. 62
Thursday, May 4, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 398 - Introduced by Bailey

"To enable 'Lloyds' Insurance Associations to transact insurance business in this state when and if such associations have otherwise qualified for admission under provisions of Articles 17 and 20 of Chapter 58 of the General Statutes of North Carolina." [Adds new GS Ch. 58, Art. 16A to provide that 'Lloyds'-type Insurance Associations (whereby each associate underwriter becomes liable for proportionate part of whole amount insured by policy) may be authorized to transact insurance business, other than life, in NC in same manner as insurance companies regularly organized, except must make deposit and operate under same terms and conditions as for foreign or alien insurance companies under GS Ch. 58, Arts. 17 (regulating foreign or alien insurance companies) and 20 (deposits); associations to be subject to all NC laws and regulations relating to transacting insurance business in NC.] To Insurance.

SB 399 - Introduced by Henley

"To provide for the continuance of the North Carolina Advancement School and to appropriate funds for its operation." [Identical with HB 904, digested in the House section of Bulletin No. 60 on page 566.] To Education.

SB 400 - Introduced by Henley and others

"To amend Chapter 146 of the General Statutes to provide a means to regulate dredging and filling of marshlands and tidelands." [Adds new GS 146-6.1 to require registration with Dep't of Water Resources by owners, lessees or possessors of power-operated earth moving equipment (including dredges, draglines, dozers, graders and trucks) operated in or on State-owned tidelands, beaches, marshes or navigable waters, and of power-operated equipment used in projects of hauling and placing materials below mean high tide. Provides for assignment of numbers to registered machines; annual renewal of registration; $3 original and renewal fees, to be applied to cost of administration; and written report of changes of ownership to Dep't. Requires permit from Dep't (and when required, from Army Corps of Engineers) before beginning an earth moving project in State-owned waters, beaches, tidelands, or marshlands; applications for permits to be circulated to interested State natural resource agencies; no permit to be issued for work detrimental to best usage of natural resources. Act not to prevent disaster emergency equipment use, nor to apply to US or State-owned equipment. Declares violations to be misdemeanors.] To Conservation and Development.

SB 401 - Introduced by McLendon

"To amend Article VI, Section 2, of the Constitution of North Carolina so as to authorize the General Assembly to extend the right to vote and hold office in municipalities to nonresident freeholders." [Provides for submission to qualified voters at next general election of amendment to NC Const. Art. VI, Sec. 2 (governing qualifications of voters) to authorize General Assembly to provide for voting in municipal elections and holding municipal offices by nonresident freeholders otherwise qualified; prescribes ballot; if vote favors amendment, provides for certification by Governor and enrollment by Secretary of State and that amendment takes effect upon certification.] To Constitution.

SB 402 - Introduced by MacLean

"To amend Chapter 213, Session Laws of 1967 relating to the time for holding a cotton referendum pursuant to Article 50, Chapter 106, of the General Statutes." [Amends cited act (SB 181, digested in House section of Bulletin no. 36 at p. 281) to provide that 1967 referendum be for years 1969 through 1973 in discretion of North Carolina Cotton Promotion Association (now, referendum only for years 1969 and 1970).] To Agriculture.

SB 403 - Introduced by MacLean

"To amend G.S. 48-4(c) to reduce the period of residence required therein." [Reduces period of residence of adoptor required for adoption of child from one year to six months. Effective July 1, 1967.] To Public Welfare.

SB 404 - Introduced by MacLean

"To provide for the acknowledgment of voluntary due execution of consents to adoption, to permit clerks of court to order adoption investigations immediately after the consent to adoption is acknowledged or exhibited to the clerk, and to provide what the venue shall be in the case of certain consents." [Adds new GS 48-5.1 providing: (1) that no consent to adoption be valid until consenting person appears and acknowledges voluntary execution of consent before clerk of superior court of county where he resides or child resides or child resided when it became a public charge; (2) that out-of-state residents may appear and acknowledge execution outside State before person authorized by NC to take acknowledgments in case of instruments allowed to be registered by registrar of deeds (such consent not valid until exhibited to clerk of superior court in county where child resides etc., and clerk enters notation to that effect); (3) that clerk or person taking acknowledgment must execute prescribed certificate to fact of acknowledgment to be filed with documents required to be filed with adoptions court and that clerk send copy of consent to any county director of public welfare or to any licensed child placing agency; clerk may order that investigation of suitability of adoption required by GS 48-16 be completed whether or not a petition for adoption has been filed but if no petition filed and clerk desires to order investigation, he must place identification number on consent and enter a signed notation on consent that investigation will be ordered; (4) makes section inapplicable to consents given to or by a director of public welfare, executive head of a licensed child placing agency, or a next friend of child in accordance with provisions of GS 48-9 (when consent may be given by persons other than parents). Adds to GS 48-12 (nature of proceeding; venue) provision that when consent bears notation of NC clerk of court that an investigation has been or will be ordered, petition to be filed with, and adoption proceeding to be before, clerk of superior court who entered notation, unless clerk orders that petition may be filed with another clerk of superior court. Effective July 1, 1968.] To Public Welfare.

SB 405 - Introduced by MacLean

"To amend Chapter 48 of the General Statutes to specify additional effects of giving a surrender and consent for adoption to a director of public welfare or a licensed child placing agency." [Adds new GS 48-9.1 providing that county welfare department or child placing agency to whom surrender and consent

to adoption given shall have legal custody of child and rights of consenting parties, except inheritance, until entry of interlocutory decree or final order of adoption or until consent revoked or unless otherwise ordered by court; welfare department having custody of child to pay child care costs. Upon receipt of written notice that child is unadoptable for physical, mental or other causes, welfare department of child's legal settlement at birth shall assume custody and responsibility for care of child and acknowledge acceptance to notifying agency, if county of child's legal settlement at birth cannot be determined, any court assuming jurisdiction over controversy shall determine welfare department responsible for care and custody of child in accordance with GS 110-29(3). If court awards custody to welfare department court shall order child placing agency to deliver surrender and consent to such department. Agency or director of public welfare having surrender, release, consent and custody of child may make mutually voluntary placement of child with one or more of those who surrendered child if approved by court. Effective July 1, 1967.] To Public Welfare.

SB 406 - Introduced by Gilmore and Moore

"To establish a North Carolina Water Safety Committee, to empower local governments to create local water and shoreline authorities and to sponsor local water safety committees, to grant the Wildlife Resources Commission the power to make local zoning and police regulations over matters of water recreation and safety and to implement the Uniform State Waterway Marking System, and to repeal certain local acts in conflict with these provisions." [Adds new Articles 2 and 3 to GS Ch. 75A (redesignated as "Boating and Water Safety"), as follows: Article 2. North Carolina Water Safety Committee. Creates Water Safety Committee, of 25-50 members appointed by Governor, to consist of at least one professional representative from each of the following: Departments of Conservation and Development, Public Instruction, and Water Resources; NC Recreation Commission Wildlife Resources Commission, State Board of Health, and Stream Sanitation Committee. Other members to represent other public and private interests concerned with water safety; executive committee to consist of a designated representative from each listed agencies plus two other members to be named by Governor to modify terms to achieve necessary overlapping of terms. Chairman to be one of agency members on executive committee and to serve as such at pleasure of Governor. Specifies organizational procedures and that administrative and staff support for committee be provided by State agencies designated by Governor.

Article 3. Local Water and Shoreline Authorities; Local Water Safety Committees. Authorizes local governments to join in forming local water and shoreline authorities over recreational waters and their shoreline areas within their boundaries (with "recreational water" defined as body of water or clearly definable portion thereof subject to intensive recreational use so as to require increased water safety and law enforcement effort; "shoreline areas" defined as areas deemed desirable to be administered along with recreational waters). Where recreational water and its shoreline area all come within boundaries of single local governmental unit, that unit may either assume powers of local water and shoreline authority (hereinafter WA) or create a separate authority. Provides for creation of WA by resolution of affected local governments, containing procedure, membership and financing, and budgetary procedures. Local government may unilaterally withdraw from WA on one year's notice. Authorizes WA (within the limits of funds available) to hire and fix compensation of employees; contract as to various matters; sue and be sued; obtain suitable quarters and facilities to be used by public; accept and disburse gifts and grants. Authorizes local governments to appropriate funds to WA's out of tax and nontax funds; declares such appropriations to be for special purpose. Authorizes WA's to charge the public reasonable access and user fees, except that no user (as distinguished

from access) fee may be charged for use of navigable waters of NC or US, and no vessel registration fee may be charged as to number vessels.

Authorizes WA's to make supplementary police and zoning regulations as necessary concerning recreational waters and their shoreline areas, not in conflict with general or special acts or regulations of State agencies, nor governing matters of boating, hunting, fishing, water safety, or waterway marking under jurisdiction of Wildlife Resources Commission. (WA's after public notice may request Wildlife Commission to pass local regulations on such subjects.) Makes violation of WA regulation a misdemeanor punishable by fine not to exceed $50.00. Stipulates posting of adequate notice of regulations before they are effective, and sets out filing and publication requirements. Sets up presumption that regulations were posted adequately and places burden on party asserting lack of notice; stipulates that formal publication and filing not to be prerequisite to validity of regulations. Provides that (if resolution of creation provides): (1) all enforcement officers in any jurisdiction in which any part of recreational water and shoreline area lies have jurisdiction over entire water and shoreline area; (2) special officers may be hired by WA who will have powers of peace officers; (3) officers from nearby governmental units may be utilized. Unless resolution provides to contrary, all courts with jurisdiction over any part of a recreational water or its shoreline area are given extended territorial jurisdiction over entire water and shoreline area. Wildlife Resources Commission to cooperate with and provide training assistance to local enforcement units as to laws relating to boating and water safety.

Authorizes WA's or local governments (when no water authority exists) to sponsor local water safety committees to serve as advisory body in matters of water recreation and safety on local waters. Specifies membership between 15 and 35, to serve at pleasure of sponsoring WA or governmental unit or units. Authorizes sponsor to provide administrative and staff services to a local water safety committee.

Other Provisions: Rewrites GS 75A-15 to clarify authority of Wildlife Resources Commission (1) to make special rules and regulations as to local waters and (2) to make implementing regulations pertaining to Uniform Waterway Marking System. Specifies that local regulations may pertain to operation of vessels, promotion of boating and water safety generally, necessary zoning and restriction of waters for recreation uses, and placement and maintenance of navigation aids and markers (now, regulations authorized only as to safe and reasonable operation of vessels). Makes it plain that the Wildlife Commission may make local regulations only after request, which may come from: (1) any subdivision of State, with reference to waters within its limits (same as now); (2) any local WA as to its recreational water (new); (3) North Carolina Water Safety Committee, as to local waters when there is no coordinated local interest in regulation (new). Adds provision requiring Wildlife Commission to investigate recreational and safety needs on a local water before making any local regulations after request, and grants Commission discretion to modify requested regulations. Adds to provision adopting Uniform Waterway Marking System authorization for Wildlife Commission to make regulations implementing marking system, which may: modify provisions to meet special needs if not an essential departure from uniform standards, or to conform with amendments proposed nationally; enact supplementary standards as to design, construction, placement, and maintenance of markers; enact clarifying and implementing regulations as to system; forbid or restrict placement of markers throughout State--or in certain classes or areas of waters--without prior permission of Commission or agency designated by Commission.

Except as to Person-Caswell Lake Authority, repeals all special, local, and private acts in conflict with or incompatible with purposes of act or of GS Chapter 75A. Specifically lists following acts as "superseded": SL 1955, Chs. 277 and 1115 (Catawba Lake, now Lake Wylie, in Gaston and Mecklenburg); SL 1955, Ch. 1219 (Catawba River in Iredell, Alexander, Caldwell, and Burke); SL 1963, Chs. 502, 510, 513, & 514 (Lake James in Burke and McDowell); SL 1965, Ch. 1205 (Lake Norman in Catawba, Iredell, Lincoln, and Mecklenburg). Abolishes Person-Caswell Lake Authority, organized under SL 1965, Chs. 200 & 1099, effective July 1, 1968, and transfers property, funds, personnel, etc., to a WA that may be established by Person and Caswell counties; any asset not transferred to a reconstituted authority to be distributed in manner mutually agreeable to the two counties; any liability not assumed by reconstituted authority to become obligation of two counties in accordance with formula deemed equitable by their governing boards.] To Wildlife.

SB 407 - Introduced by Shuford and others

"To amend Article 5 of Chapter 108 of the General Statutes relating to regulations of organizations and individuals soliciting public alms so as to require annual financial reports to be filed with the State Treasurer." [Identical with HB 924, digested in the House section of today's bulletin.] To Public Welfare.

SB 408 - Introduced by White of Lenoir and others

"To appropriate funds for the construction and operation of two pilot community complexes, so as to provide day care, residential care and other services to mentally retarded children and adults." [Appropriates from General Fund to Department of Mental Health (MH) $150,040 as State share of 22% of construction costs for two community mental retardation complex facilities, one each in Mecklenburg and Guilford Counties. Requires 16% of construction costs, and full site costs, be paid by county, city (or both) in which facility to be located. Requires 62% of construction costs to come from funds made available by US pursuant to Part C of Public Law 88-164 (88th Congress). Sites shall be as determined by MH and Medical Care Commission. Facility shall be located in named counties as may be determined by MH with advice of North Carolina Council on Mental Retardation, Medical Care Commission and panel of three out-of-state consultants on mental retardation selected by NC Council on Mental Retardation. Work of each facility to be administered jointly by MH and "local mental health authority" to be appointed by county commissioners of county or governing board of municipality in which facility located (or by both) upon recommendation of Council on Mental Retardation of each county, or of each such county and municipality. Appropriates $112,048 for fiscal year 1967-68 and $659,060 for fiscal year 1968-69 to be budgeted to each of two facilities by Budget Division of Department of Administration as set out in bill for administration, and for day care, liaison and residential dep'ts.] To Appropriations.

SB 409 - Introduced by White of Lenoir

"To create the North Carolina Capital Building Authority." [Identical with HB 919, digested in the House section of today's bulletin.] To Appropriations.

SB 410 - Introduced by White of Lenoir

"To rewrite G.S. 6-21.1, relating to counsel fees in certain cases." [Adds plaintiff's attorney in suit against insurance company instituted in court of record under policy issued by defendant insurance company in which insured or beneficiary is plaintiff, to those eligible for counsel fees in discretion of court, in cases where judgment for recovery of damages is $1,000 or less.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

SB 395 - (Cleveland) Introduced by White
"To amend Chapter 243 of the Public-Local Laws of 1911 as pertaining to the Recorder's of Cleveland County." [Amends cited act to provide Recorder's Court of Cleveland County may sit in any public building in county and that it shall not hear cases involving trial by jury. Effective July 1, 1967.] To Counties, Cities and Towns.

SB 396 - (Cleveland) Introduced by White
"To authorize the Board of County Commissioners of Cleveland County to fix fees charged by county officials." [Adds Cleveland to list of counties in GS 153-9(12a) authorizing county comm'rs to set fees and commissions to be charged by RD, CSC, clerk of county domestic relations and general county court, sheriff, jailer and coroners for services or duties required or permitted by law; comm'rs may change fees at any time but not in excess of 20% during one fiscal year; until changed, fees to continue as provided by law.] To Counties, Cities and Towns.

SB 397 - (Union) Introduced by Griffin
"To amend Chapter 445-Session Laws of North Carolina 1945, as amended by Chapter 865-Session Laws of North Carolina 1953 and Chapter 827-Session Laws of North Carolina 1957 to permit Union County to provide retirement benefits to employees through the North Carolina Local Government Employees' Retirement System." [Authorizes Union commissioners to terminate Union County Retirement System effective June 30, 1967 and to provide alternative retirement benefits to covered employees through participation of county in LGERS, subject to written agreement between commissioners and trustees of LGERS, effective July 1, 1967. Participation to be with respect to persons now or hereafter employed in positions covered by county retirement system or persons entitled as of June 30, 1967 to retirement benefits by reason of previous retirement thereunder.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 167 - Safe tire use requirement. Amendment adopted providing that motor vehicles required to be registered in State shall be equipped with tires which to knowledge of operator, based on visual inspection, are suitable and safe. Deletes requirement that vehicles be equipped with tires safe for operation of motor vehicle and not exposing public to needless hazard. Provides that in civil action violation of section not to constitute negligence per se. Rereferred to Highway Safety.

SB 180 - Auto property damage claims. Amended to make clarifying changes and limit provisions concerning introduction of evidence of settlement to claimant and party plaintiff (originally, any person or any party declared incompetent). Passed second and third readings.

SB 393 - Warehouse act produce levy. Reported favorably.

HB 51 - Damaging occupied property. Reported favorably.

HB 53 - Cross burning penalty. Reported favorably as amended.

HB 149 - Secret society diguises. Reported favorably as to committee substitute. Committee substitute adopted adding to original bill new subsection GS 14-12.12(a) making it unlawful for any person or persons to place or cause to be placed on property of another in State or on public street

or highway, a burning or flaming cross or any manner or exhibit in which a burning or flaming cross real or simulated is a whole or a part, with intention of intimidating persons or preventing them from doing lawful acts or causing them to do unlawful acts.

HB 159 - Ambulance services (House committee substitute 4/11), as amended in House 4/13. Passed second reading.
HB 188 - Injurious weapon assault. Reported unfavorably.
HB 189 - Homicidal weapon assault. Reported unfavorably.
HB 190 - Misdemeanor assault rewrite, as amended in House 4/12. Reported unfavorably.
HB 272 - Handicapped driver flags, as amended in House 4/6. Passed second and third readings.
HB 497 - Insurance co. increase surplus. Passed second and third readings.
HB 512 - Adoption of blood relatives, as amended in House 5/3. Received from House; sent to Public Welfare.
HB 587 - Bang's disease. Reported favorably.
HB 596 - Alcoholic centers costs. Received from House; sent to Mental Health.
HB 631 - County-water, sewer protection. Received from House; sent to Judiciary 2.
HB 632 - Mortgage guaranty insurance. Received from House; sent to Insurance.
HB 683 - County hospital lease. Received from House; sent to Judiciary 2.
HB 789 - State condemnation procedure. Received from House; sent to Judiciary 1.

LOCAL BILLS

SB 250 - (Gaston) Gastonia public contracts. Amended to provide that GS Ch. 143, Art. 8 (governing procedure for public building contracts), not to apply to Gastonia when job cost does not exceed $25,000 (originally $50,000). Passed.
SB 276 - (Mitchell) County officials. Reported favorably as amended. Amended to provide for comm'rs to set salary of county accountant at $6,000 to $7,500 per year (originally flat $7,500) and to limit to two deputy sheriffs to be paid $4,200 annual salary.
SB 325 - (Henderson) Hendersonville ABC Board. Withdrawn from committee; placed on calendar. Passed.
SB 329 - (Brunswick, New Hanover) Land from ocean. Passed.
SB 331 - (McDowell) Map law exemption. Passed.
SB 332 - (Mitchell) Spruce Pine officials pay. Reported favorably as amended. Amended to change effective date to July 1, 1967 (originally upon ratification).
SB 339 - (Cumberland) County zoning. Passed.
SB 341 - (Madison) Tax lien limitation. Passed.
SB 354 - (Alamance) Burlington airport sale. Passed.
SB 362 - (Lenoir) Industrial development funds. Passed.
SB 363 - (Stanly) Albermarle firemen pension. Passed.
SB 378 - (Orange) Hillsborough elections. Passed.

HB 443 - (Guilford) Gibsonville: pay light bill. Passed.
HB 453 - (Mecklenburg) Charlotte contract limits. Passed.
HB 474 - (Carteret) Emerald Isle powers restricted. Passed.
HB 502 - (Davie) Watershed condemnations. Passed.
HB 514 - (Surry) Mount Airy firemen pension. Passed.
HB 517 - (Hertford) Murfreesboro historic district. Passed.
HB 549 - (Macon) Trash disposal. Passed.
HB 552 - (Mecklenburg) Law-officer disability benefit. Passed.
HB 555 - (Franklin) Commissioners' election. Passed.

HB 571 - (Bladen) Register of Deeds. Passed.
HB 581 - (Yadkin) Jonesville elections. Passed.
HB 586 - (Anson) Outside water service. Passed.
HB 588 - (Richmond) Ellerbe commissioners. Passed.
HB 589 - (Rockingham) County debt service transfer. Passed.
HB 595 - (Catawba) Maiden Plan-D election. Passed.
HB 597 - (Guilford) High Point civil service. Passed.
HB 606 - (Cabarrus) Township 4 parking regulations. Passed.
HB 607 - (Guilford) Local development funds. Passed.
HB 610 - (Avery) Commissioners' increase. Passed.
HB 611 - (Avery) Publishing budget estimates. Passed.
HB 612 - (Dare) ABC enforcement. Passed.
HB 620 - (Catawba) Soil and water funds. Passed.
HB 623 - (Macon) Sheriff's travel allowance. Passed.
HB 633 - (Forsyth) Fortune telling unlawful. Received from House; sent to Judiciary 2.
HB 637 - (Greene) Tax lien. Passed.
HB 644 - (Caldwell) Hudson officials. Passed.
HB 649 - (Gates) Tax collector appointment. Passed.
HB 652 - (Vance) Henderson flouridation vote. Passed.
HB 670 - (Ashe) Commissioners number. Passed.
HB 671 - (Ashe) West Jefferson aldermen vote. Passed.
HB 676 - (Dare) Roanoke Island birds. Passed.
HB 679 - (Carteret) Beaufort historic buildings. Rec'd from House; sent to Local Gov't.
HB 680 - (Carteret) Beaufort town seal. Received from House; sent to Local Gov't.
HB 688 - (Rowan) Auditor appointment. Passed.
HB 692 - (Martin) Williamston garbage land. Passed.
HB 696 - (Caswell) Disbursement publication. Passed.
HB 697 - (Caswell) Budget publication. Passed.
HB 709 - (Harnett) CSC fund transfer. Received from House; sent to Judiciary 2.
HB 710 - (Lee, Harnett) Confiscated weapons. Rec'd from House; sent to Judiciary 2.
HB 757 - (Carteret) Parking on Bogue Banks. Rec'd from House; sent to Judiciary 2.
HB 767 - (Guilford) Firearms prohibition. Rec'd from House; sent to Judiciary 2.
HB 781 - (Alamance) Closing-out sales exemption. Rec'd from House; sent to Judiciary 2.
HB 786 - (Mecklenburg) Poll time. Received from House; passed.
HB 793 - (Wake) Tax regs. and districts. Rec'd from House; sent to Judiciary 1.
HB 804 - (Guilford) Disturbing peace. Rec'd from House; sent to Judiciary 2.
HB 841 - (Guilford) Cap pistol caps. Rec'd from House; sent to Judiciary 2.
HB 853 - (Lee) Temporary county offices. Rec'd from House; sent to Local Gov't.
HB 877 - (Wayne) Goldsboro charter revision. Rec'd from House; sent to Judiciary1.
HB 892 - (Cumberland) Exempt US property tax. Rec'd from House; sent to Local Gov't.
HB 895 - (Wilson) Abandoned animals. Rec'd from House; sent to Local Gov't.

Next session of Senate: 10:00 a.m., Friday, May 5, 1967.

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BULLETIN NO. 62
Thursday, May 4, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 919 - Introduced by Greenwood
"To create the North Carolina Capital Building Authority." [Creates North Carolina Capital Building Authority to be composed of Senate member appointed by Lt. Governor, House member appointed by Speaker, Attorney General, State Treasurer, Director of Dept. of Administration, (chairman), two appointed by Governor and, ex officio, the Governor; Authority vice chairman to be elected at first meeting, secretary to be appointed by Dept. of Administration Director. Appointed members serve 2-year terms. Empowers Authority to: (1) select and employ architects, engineers and other consultants, in accord with State policy, to plan and supervise construction of buildings and other capital improvement projects in accord with plans developed by NC Capital Planning Commission, whose plans and records shall be available to Authority, for those projects for which General Assembly may make appropriations; (2) review bids received by Dept. of Administration and approve contracts awarded for buildings and construction within Authority's control; (3) report annually to NC Planning Commission; (4) submit completion report to NC Planning Commission on all major projects. Dept. of Administration to provide professional services and other employees as needed by Authority. Authority members other than State salaried employees to receive per diem and allowances as State boards generally. Appropriates $5,000 for each year of 1967-69 biennium for Authority expenses; authorizes Council of State, on request, to allot additional funds from Contingency and Emergency Fund; left over funds revert to General Fund. Authority to continue until abolished by General Assembly. Effective July 1, 1967. Identical with SB 409.] To Appropriations.

HB 920 - Introduced by Burden
"To amend Chapter 20 of the General Statutes relating to the use of red and amber lights on certain vehicles." [Deletes in(GS 20-130.1) wreckers and State Highway Commission maintenance and construction vehicles from those vehicles which may use red lights visible from front (by exclusion from operation of GS 20-130.1). Adds new GS 20-130.2 requiring all wreckers operated on NC highways to be equipped with amber colored flashing light visible 500 feet in all directions; permits any other vehicle to be similarly equipped, including SHC maintenance and construction vehicles and other vehicles required to have warning light. Effective July 1, 1967.] To Highway Safety.

HB 921 - Introduced by Pickard
"To amend G.S. 48-29 to provide for the issuance of new birth certificates for adopted children born outside the State." [Amends GS 48-29 to provide that court may decree name change of adoptive child, upon adoption petition or subsequent petition of adoptive parents. Adds (GS 48-29(d)) providing that GS 48-29 (relating to name changes) shall apply in case of adoptive child born outside State if adoptive parents furnish State Registrar certified copy of final adoption order, (to be forwarded to appropriate vital statistics agency of birth state) and with birth certificate issued for child by authorized agency of child's birth state. Certificate so issued to constitute original certificate for purpose of section (GS 48-29). Provides that if adoptive parents of child born outside NC reside in another state at time petition filed, city and county of court issuing final adoption order to be shown on new certificate as place of birth.] To Judiciary 2.

HB 922 - Introduced by Phillips, Bowles, Edwards, Exum, Short and Whitley
"To establish the Guilford County Bicentennial Commission." [Establishes Guilford County Bicentennial Commission as non-profit corporation to consist of ex officio members as follow: Chairman, county board of commissioners; mayor of Greensboro, High Point, Jamestown and Gibsonville; county manager; county school sup't; county historian; NC Archives and History Director; NC Sup't of Public Instruction; three members appointed by Governor; 12 appointed by county commissioners; with authority to appoint 10 additional members on recommendation of Bicentennial Commission. County commissioners to fill vacancies by appointment and terminate Bicentennial Commission by resolution no later than Dec. 31, 1973. Commission to have executive secretary and county manager to serve as such until position permanently filled; members unsalaried but reimbursed for necessary expenses. Charges Comm'n with responsibility for general direction of bicentennial celebration and activities in cooperation with interested persons and community organizations. Authorizes use of appropriate county nontax revenues for Bicentennial expenses and requires Commission to file annual accounting within 30 days of each Act anniversary date.] To Judiciary 1.

HB 923 - Introduced by Britt of Johnston
"To amend G.S. 90-183.2 with regard to annual registration fees for veterinarians." [Increases annual registration fee for veterinarians to $25 (now, $5).] To Judiciary 2.

HB 924 - Introduced by Mills of Anson
"To amend Article 5 of Chapter 108 of the General Statutes relating to regulation of organizations and individuals soliciting public alms so as to require annual financial reports to be filed with the State Treasurer." [Adds new GS 108-85.1 to provide for filing, by those licensed to solicit public alms, within 120 days after each fiscal year close, detailed financial statement of operations with State Treasurer. Such filing open to public and licenses not to issue or be renewed until licensee complies with Section. Identical with SB 407.] To Health.

LOCAL BILLS INTRODUCED -- HOUSE

HB 925 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Hunter and Jones
"To amend Chapter 482 of the Session Laws of 1963 authorizing use of non-tax revenues for recreational purposes in Mecklenburg County." [Authorizes County commissioners to appropriate up to 5% of total fiscal year non-tax revenues received (now, $10,000) to county recreation commission, successor or alternate performing same functions, to be used and accounted for in accord with GS Ch. 160, Art. 12 (Recreation Enabling Law). Act not to limit total funds available for recreational purposes; commissioners may provide additional funds from other sources including bond and tax revenues.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 25 - Highway patrol planes. Floor amendment adopted to delete Sec. 1 of act, repealing GS 20-196.1 (prohibits use of airplanes by SHP to discover violations of GS Ch. 20, Art. 3, Part 10 relating to operation of motor vehicles and rules of the road) and replaces it with a new Sec. 1 providing SHP may use airplanes to discover violations of GS 20, Art. 3, Part 10, but that "neither the observer nor the pilot shall be competent to testify in any court of law." Postponed to 5/9.

SB 89 - Beer-wine transportation. Received from Senate; sent to Propositions and Grievances.

SB 104 - Abortion justification (Senate committee substitute 3/30) as amended in Senate 4/4 and 4/5. Floor amendment adopted making technical change. Floor amendment adopted to require mother to have "resided in the" (original bill, "been a resident of the") State for four months prior to abortion. Passed second reading.
SB 135 - Glue sniffing prohibition. Received from Senate; sent to Propositions and Grievances.

HB 43 - Judicial sales changes. Reported favorably as amended.
HB 118 - Clergymens privilege. Reported favorably as amended.
HB 212 - Provisional licensee hearing, as amended in House 3/30 and in Senate 5/3. Received for concurrence in Senate amendment; concurred.
HB 406 - Municipal utility mutual aid. Reported favorably.
HB 584 - Suspended provisional licensees. Reported favorably.

LOCAL BILLS

SB 204 - (Transylvania) Brevard ABC elections. Passed.
SB 205 - (Rockingham) ABC officers jurisdiction. Received from Senate; sent to Judiciary 2.
SB 275 - (Union) Monroe property sale. Passed.
SB 282 - (McDowell) Judge and attorney salaries. Received from Senate; sent to Courts and Judicial District.
SB 285 - (McDowell) Tax supervisor. Passed.
SB 286 - (McDowell) Wild boar hunting. Passed.
SB 325 - (Henderson) Hendersonville ABC board. Received from Senate; sent to Local Government.
SB 343 - (Robeson) Municipal ABC stores. Received from Senate; sent to Propositions and Grievances.
SB 347 - (Jackson) Sylva ABC election. Received from Senate; sent to Propositions and Grievances.

HB 222 - (Cumberland) Fayetteville beer and wine, as amended in House 3/29. Floor amendment adopted to amend SL 1957, Ch. 1455, Sec. 8, to prohibit sale (or licensing of sale) of beer, wine or other alcoholic beverage for on-premises consumption within 2-miles of bell tower of Methodist College, or at any point along Raleigh Road to depth of 300 feet, beginning at point of Fayetteville city limits and continuing to and beyond college, except in those areas part of city and in private clubs. (Amendment of 3/29 had prohibited sale or licensing of sale of beer, wine or alcoholic beverages within three miles of Methodist College measured from bell tower except area within limits of Fayetteville as of January 1, 1967. Original bill would permit sale or licensing of sale of beer and wine or alcoholic beverages in areas annexed after January 12, 1957. Current law restricts such licensing or sale to corporate limits of city as of January 12, 1957.) Passed.
HB 578 - (Mitchell) Rhododendron festival money. Passed.
HB 658 - (Haywood) Sheriff and deputy salaries. Passed.
HB 659 - (Haywood) Full-time chairman's salary. Passed.
HB 660 - (Haywood) County jailer. Passed.
HB 661 - (Haywood) Tax collector salary. Passed.
HB 662 - (Haywood, Jackson) Jones Knob to Mt. Lyn Lowry. Passed.
HB 666 - (Cleveland) Board of education election. Passed.
HB 667 - (Stanly) Land to vocational workshop. Passed.
HB 675 - (Dare) Board of education appointment. Passed.
HB 687 - (Rowan) Rumpuses around China Grove. Passed.
HB 698 - (Brunswick) Abolish nonpartisan school Bd. Passed.
HB 707 - (Watauga) Public drunkenness. Passed.
HB 708 - (Harnett) Building inspectors, garbage. Passed third reading.

HB 729 - (Dare) Fishing in beach areas. Passed.
HB 742 - (Avery) School board election. Passed.
HB 745 - (Northampton) ABC profits. Passed.
HB 746 - (Northampton) Commissioners' salaries. Passed.
HB 747 - (Northampton) Commissioners' staggered terms. Passed.
HB 748 - (Nash) Industrial development funds. Passed.
HB 751 - (Duplin) Wallace library property sale. Passed.
HB 764 - (Columbus) Municipal ABC vote. Passed.
HB 776 - (Cleveland) Appoint assistant coroner. Passed.
HB 783 - (Ashe) School board land conveyance. Passed.
HB 786 - (Mecklenburg) Poll time. Reported favorably; passed.
HB 791 - (Chatham) Pittsboro ABC stores. Passed.
HB 792 - (Yancey) Tax regs. and districts. Passed.
HB 798 - (Cumberland) Fayetteville charter changes. Passed third reading.
HB 802 - (Rutherford) Mayor, comm'rs salaries. Passed.
HB 805 - (Carteret) Beaufort town limits. Passed third reading.
HB 806 - (Watauga) Temporary county buildings. Passed.
HB 813 - (Haywood) Commissioners' pay raise. Passed.
HB 818 - (Duplin) Wallace tort claims. Passed.
HB 819 - (Lenoir) Industrial development funds. Passed.
HB 821 - (Buncombe) School bus use. Passed.
HB 840 - (Columbus) Nominating school board. Passed.
HB 844 - (Graham) Watershed improvement program. Passed third reading.
HB 849 - (Chatham) Siler City ABC elections. Passed.
HB 869 - (Watauga) Filling commissioner vacancies. Passed.
HB 880 - (Yadkin) Commissioners salaries. Passed.
HB 885 - (Onslow) Outside city auctions. Reported unfavorably.

BILLS RATIFIED

SB 147 - Rear view mirrors, as amended in House 4/17 and 4/18 (Conference report 5/2). [Ch. 282]
SB 161 - Equitable 'Safe Driver Plan'. [Ch. 283]
HB 277 - Red Cross permanent plates. [Ch. 284]
HB 375 - (Duplin) Courts probate fee. [Ch. 285]
HB 383 - Corp. franchise tax changes. [Ch. 286]
HB 422 - (Alleghany) Assistant CSC salary. [Ch. 287]
HB 438 - (Catawba) ABC Board powers. [Ch. 288]
HB 684 - (Wake) Abandoning domestic animals. [Ch. 289]
HB 786 - (Mecklenburg) Poll time. [Ch. 290]

Next session of House: 9:30 a.m., Friday, May 5, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 63

Friday, May 5, 1967

Session: Senate: 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 411 - Introduced by White of Lenoir

"To amend Chapter 14, of the General Statutes of North Carolina to prohibit the fraudulent acquisition and use of information obtained from patients in hospitals." [Amends GS Ch. 14, Art. 20 (Frauds) by adding new GS 14-118.3 making it unlawful to obtain or seek to obtain from hospital patient, information concerning any illness, injury or disease other than information concerning illness, etc. for which patient is than hospitalized and being treated. Prohibits use of information obtained in regard to other illness, etc. without written authorization from patient or person authorized in writing by patient to act in his behalf. Act not to apply to attending physician or anyone under his direction in obtaining or using such information in connection with care or treatment of person while a patient. Makes violation a misdemeanor punishable by fine or imprisonment in discretion of court.] To Judiciary 1.

SB 412 - Introduced by White of Lenoir

"To amend Chapter 8 of the General Statutes of North Carolina to provide an additional rule of evidence." [Amends GS Ch. 8 (Evidence) by adding new Art. 4B entitled "Evidence of Fraud, Duress, Undue Influence". Creates presumption that any written statement, waiver, release, receipt or other representation of any kind made by patient in any hospital and taken by any person in connection with health, accident or hospitalization insurance was obtained fraudulently or under duress or undue influence unless attending physician certifies in writing that at time such written statement made, or waiver, etc., signed, that patient was not in shock nor appreciably under influence of any drug including drugs given primarily for sedation. Provides that all answers made by applicants for health, accident and hospitalization insurance to constitute representations and not warranties.] To Judiciary 1.

SB 413 - Introduced by White of Lenoir

"To amend Article 4 and Article 18 of Chapter 160 of the General Statutes relating to the powers of municipalities to enact ordinances, so as to require public notice of the intended exercise of such powers by municipalities." [Adds to GS 160-52 (general power of municipalities to adopt ord nances) provision to require that prior public hearing is prerequisite to valid "findings" by governing body of municipality in connection with any ordinance adopted pursuant to powers granted by GS 160-52 or by GS 160-200(6), (7)or (10). (Cited provisions confer general "police power" ordinance making authority -- ordinances relating to public health, safety, sanitation, morals, welfare etc.). Requires

at least 30 days public notice of hearing, containing statement of purpose and reasons for enactment of ordinance, and published once each week for four successive weeks prior to hearing in newspaper of general circulation in municipality; if no such newspaper, notice to be posted in at least five public places within municipality. Adds new GS 160-200.1 making ordinances enacted pursuant to powers granted in GS 160-200(6), (7) or (10)invalid unless, prior to their enactment, municipal governing body complies with above notice, hearing and publication requirements.] To Judiciary 1.

SB 414 - Introduced by White of Lenoir

"To amend Part 1 of Article 36 of Subchapter VI of Chapter 160 of the General Statutes of North Carolina, relating to the extension of corporate limits." [Adds to GS 160-445 (procedure for adoption of municipal annexation ordinance) provision requiring actual public hearing, statement by or on behalf of municipal governing body giving putpose or reasons for proposed corporate extension to be made at beginning of public hearing, reasonable opportunity for those attending hearing to be heard, and public notice of hearing, and describing clearly boundaries of area under consideration, for annexation ordinance to be valid.] To Judiciary 1.

SB 415 - Introduced by Allsbrook

"To amend Chapter 113 of the General Statutes pertaining to fishing in certain boundary waters by boundary county residents." [Adds provision to GS 113-276(e) permitting residents of county where a municipality is bounded by a boundary river to fish in boundary river or stream from banks of river or stream in any adjoining county lying directly opposite to banks of municipality in question and to be deemed fishing within their county for purposes of resident hook-and-line fishing exemption contained in subsection (e). Provides that same shall be deemed true of fishing from banks of any island in boundary river within area opposite banks of municipality. Defines boundary river for purposes of section as one which forms or follows county line.] To Judiciary 1.

SB 416 - Introduced by Wood and Harrington

"To provide for instruction in driver training and safety education in the private schools of the State." [Adds new subsection (g) to GS 115-202 (requiring local boards of education to provide courses in operation of motor vehicles) providing that program of driver training and safety education for public schools be made available to all private or non-public schools that meet requirements of GS Ch. 115, Art. 32 (Nonpublic Schools). Provides that all expenses for course of instruction in private or non-public schools be borne by private or non-public school and/or pupils enrolled in said courses. Authorizes Department of Motor Vehicles to issue restricted instruction permit effective for a school year or lesser period to applicant enrolled in private training program made available to private schools by State Superintendent of Public Instruction, as authorized in GS 20-88.1, even though applicant too young to be eligible for operator's license. Permit to entitle person receiving driver training and instruction in private school to operate motor vehicle with permit in his immediate possession subject to restrictions imposed by Dep't which may include restrictions to designated areas and highways and restrictions prohibiting operation except when approved instructor is occupying a seat beside trainee.] To Highway Safety.

SB 417 - Introduced by McGeachy

"Relating to the financial support of community colleges, technical institutes and industrial education centers so as to provide State aid to assist in their plant operation and appropriating State funds for such purpose." [Authorizes State Board of Education, through Department of Community Colleges to provide financial aid as title indicates. Appropriates from General Fund to Board $441,250 for fiscal year 1967-68 and $571,250 for fiscal year 1968-69. Funds to be equitably allocated by Board, through Dep't, according to standards established by Board, proportionally to each institution qualified to receive said funds solely on basis of number of full time equivalent students attending such institutions.] To Appropriations.

SB 418 - Introduced by McLendon, by request

"To amend G.S. 58-251.2 relating to renewal of individual and blanket hospitalization and accident and health insurance policies." [Amends GS 58-251.2 by substituting new subsection (a) providing that every individual or blanket family hospitalization policy, accident and health policy other than noncancellable, guaranteed renewable or nonrenewable policies when applied for in State and issued to NC resident after July 1, 1963 include provision on renewability approved by Commissioner of Insurance. (Adds guaranteed renewable policies to those excluded and fails to mention group, blanket and franchise policies among those included; changes effective date from January 1, 1956; requires approval of Commissioner of Insurance for wording of renewability Clause.) Renewability clause provides that company not to exercise right to decline policy renewal other than for nonpayment of premium, except on renewal date occurring on or immediately following each anniversary of effective date of policy or if policy has lapsed and been reinstated on or next following each anniversary of date of last reinstatement. (Now, policy renewable at option of policyholder unless sufficient notice of nonrenewal given policyholder in writing by insurer. Sufficient notice during first year of any policy or during first year following lapse and reinstatement to be 30 days prior to premium date. After one continous year of coverage, notice to be a number of full months most nearly equivalent to 1/4 number of months of continuous coverage from first anniversary of date of issue of reinstatement, to date of mailing of notice, provided no period of required notice to exceed two years.) Refusal to renew to be without prejudice to any claim originating while policy in force. Requires written notice of company's intentionto decline renewal to be delivered to insured or mailed to his last address not less than thirty days prior to effective date of nonrenewal.] To Insurance.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 174 - Revenue bond sales. Reported favorably
SB 381 - Gas users tax rebate. Reported favorably.
SB-391 - Catawba Valley Tech app. Reported favorably.
SB 393 - Warehouse Act produce levy. Passed second reading.

HB 51 - Damaging occupied property. Passed second and third readings.
HB 53 - Cross burning penalty. Amendment adopted to provide that new offense proposed as GS 14-12.12 (b) by the Committee Substitute(cross burning) to HB 149 shall be treated as a felony punishable by imprisonment of one to five years, while the presently existing substance of GS 14-12.12 (permitting secret society meetings)shall be a misdemeanor punishable by fine or imprisonment in discretion of court (original bill does not account for existence of new offense). Floor amendment adopted providing that any of those confined as felons (for violating GS 14-12.12 (b), 14-12.13, and 14-12.14) shall not be eligible for work release. Passed second reading. Postponed to 5/9.
HB 149 - Secret society disguises. Passed second reading. Postponed to 5/9.
HB 159 - Ambulance services (House committee substitute 4/11), as amended in House 4/18. Passed third reading.
HB 191 - Surplus fund investment. Reported favorably.
HB 446 - Const. change: legislator pay. Reported favorably.
HB 587 - Bang's disease. Re-referred to Agriculture.

LOCAL BILLS

SB 276 - (Mitchell) County officials. Passed.
SB 326 - (Polk) School board compensation. Passed.

SB 332 - (Mitchell) Spruce Pine Officials' pay. Passed.
SB 333 - (Chatham) Pittsboro ABC board. Postponed indefinitely.
SB 338 - (Catawba) Hickory Charter Changes. Passed.
SB 342 - (Madison) Property tax valuation. Passed third reading.
SB 345 - (Chatham) Siler City ABC election. Postponed indefinitely.
SB 352 - (Montgomery) Mt. Gilead comm'r pay. Passed.
SB 372 - (Union) Coroner compensation. Passed.
SB 373 - (Union) Commissioners salaries.
SB 376 - (Orange) Carrboro corporate limits. Passed third reading.
SB 377 - (Orange) Chapel Hill corporate limits. Passed third reading.

HB 137 - (Cabarrus) Medical examiner. Amendment adopted changing effective date from ratification to January 1, 1970. Passed.
HB 220 - (Rutherford) Commissioners' Compensation. Passed.
HB 221 - (Rutherford) Officials' salaries. Passed.
HB 222 - (Cumberland) Fayetteville beer and wine, as amended in House 3/29. Received from House; sent to Propositions and Grievances.
HB 273 - (Edgecombe, Moore, Cleveland) Abandoning animals, as amended in House 3/22. Passed.
HB 281 - (Person) Closing out sales. Passed.

HB 381 - (Columbus) Board education pay. Passed.

HB 476 - (Hyde) Officials' compensation. Passed.

HB 482 - (Catawba) Highways, no shooting. Passed.

HB 495 - (Franklin) Industrial comm'n per diem. Passed.

HB 530 - (Mecklenburg) Pineville water and sewer. Passed third reading.
HB 569 - (Harnett) Lillington officials' pay. Passed.
HB 575 - (Moore, Lee) Cameron fire district. Passed third reading.
HB 578 - (Mitchell) Rhododendron festival money. Received from House; sent to Counties, Cities and Towns.
HB 579 - (Avery, Mitchell, Watauga) Shrub-napping extended. Passed.
HB 598 - (Johnston) Princeton corporate limits. Passed third reading.
HB 599 - (Johnston) Smithfield, Selma zoning. Passed.
HB 629 - (Forsyth) Watershed improvement program. Passed third reading.
HB 630 - (Forsyth) Water and sewer improvements. Passed third reading.
HB 638 - (Greene) Sheriff, tax collector comp. Passed.
HB 643 - (Dare) Mosquito control. Passed third reading.
HB 658 - (Haywood) Sheriff and deputy salaries. Received from House; sent to Salaries and Fees.
HB 659 - (Haywood) Full-time chairman's salary. Received from House; sent to Salaries and Fees.
HB 660 - (Haywood) County jailer. Received from House; sent to Salaries and Fees.
HB 661 - (Haywood) Tax collector salary. Received from House;sent to Salaries and Fees.
HB 662 - (Haywood, Jackson) Jones Knob to Mt. Lyn Lowry. Received from House; sent to Conservation and Development.
HB 663 - (Alamance) Burlington salary limit. Passed.
HB 666 - (Cleveland) Board of education election. Received from House; sent to Education.
HB 667 - (Stanly) Land to vocational workshop. Received from House; sent to Local Government.
HB 675 - (Dare) Board of Education appointment. Received from House;sent to Education.
HB 685 - (Pender) Topsail tax rate. Passed third reading.
HB 687 - (Rowan) Rumpuses around China Grove. Received from House; sent to Counties, Cities and Towns.

HB 689 - (Burke) Morganton charter change. Passed third reading.
HB 698 - (Brunswick) Abolish nonpartison school bd. Received from House; sent to Education.
HB 707 - (Watauga) Public drunkenness. Received from House; sent to Counties, Cities and Towns.
HB 708 - (Harnett) Building inspectors, garbage. Received from House; sent to Judiciary 2.
HB 729 - (Dare) Fishing in beach area. Received from House; sent to Conservation and Development.
HB 742 - (Avery) School board elections. Received from House; sent to Election Laws and Legislative Representation.
HB 745 - (Northampton)ABC profits. Received from House; sent to Counties, Cities and Towns.
HB 746 - (Northampton) Commissioners' salaries. Received from House; sent to Salaries and Fees.
HB 747 - (Northampton) Commissioners' staggered terms. Received from House; sent to Counties,Cities and Towns.
HB 748 - (Nash) Industrial development funds. Received from House; sent to Counties, Cities and Towns.
HB 751 - (Duplin) Wallace library property sale. Received from House; sent to Counties, Cities and Towns.
HB 764 - (Columbus) Municipal ABC vote. Received from House; placed on calendar; returned to House.
HB 776 - (Cleveland) Appoint assistant coroner. Received from House; sent to Counties, Cities and Towns.
HB 783 - (Ashe) Schoolboard land conveyance. Received from House; sent to Counties, Cities and Towns.
HB 791 - (Chatham) Pittsboro ABC stores. Received from House; passed.
HB 792 - (Yancey) Tax regs. and districts. Received from House; sent to Counties, Cities and Towns.
HB 798 - (Cumberland) Fayetteville charter changes. Received from House; sent to Counties, Cities and Towns.
HB 802 - (Rutherford) Mayor, comm'r salaries. Received from House; sent to Salaries and Fees.
HB 805 - (Carteret) Beaufort town limits. Received from House; sent to Counties, Cities and Towns.
HB 806 - (Watauga) Temporary county buildings. Received from House; sent to Counties, Cities and Towns.
HB 813 - (Haywood) Commissioners' pay raise. Received from House; sent to Salaries and Fees.
HB 818 - (Duplin) Wallace tort claims. Received from House; sent to Counties, Cities and Towns.
HB 819 - (Lenoir) Industrial development funds. Received from House; sent to Counties, Cities and Towns.
HB 821 - (Buncombe) School bus use. Received from House; sent to Education.
HB 840 - (Columbus) Nominating school board. Received from House; sent to Education.
HB 844 - (Graham) Watershed improvement program. Received from House; sent to Judiciary 2.
HB 849 - (Chatham) Siler City ABC elections. Received from House; passed.
HB 869 - (Watauga) Filling commissioner vacancies. Received from House; sent to Counties, Cities and Towns.
HB 880 - (Yadkin) Commissioners' salaries. Received from House; sent to Salaries, and Fees.

BILLS RATIFIED

SB 204 - (Transylvania) Brevard ABC elections. [Ch. 291]
SB 275 - (Union) Monroe property sale. [Ch. 292]
SB 285 - (McDowell) Tax supervisor. [Ch. 293]
SB 286 - (McDowell) Wild boar hunting. [Ch. 294]
HB 212 - Provisional licensee hearing, as amended in House 3/30. [Ch. 295]
HB 272 - Handicapped driver flags, as amended in House 4/6. [Ch. 296]
HB 443 - (Guilford) Gibsonville:pay light bill. [Ch. 297]
HB 453 - (Mecklenburg) Charlotte contract limits. [Ch. 298]
HB 474 - (Carteret) Emerald Isle powers restricted. [Ch. 299]
HB 497 - Insurance co. increase surplus. [Ch. 300]
HB 502 - (Davie) Watershed condemnations. [Ch. 301]
HB 514 - (Surry) Mt. Airy firemen pension. [Ch. 302]
HB 517 - (Hertford) Murfreesboro historic district. [Ch. 303]
HB 549 - (Macon) Trash disposal. [Ch. 304]
HB 552 - (Mecklenburg) Law-Enforcement disability benefit. [Ch. 305]
HB 555 - (Franklin) Commissioners' election. [Ch. 306]
HB 571 - (Bladen) Register of deeds. [Ch. 307]
HB 581 - (Yadkin) Jonesville elections. [Ch. 308]
HB 586 - (Anson) Outside water service. [Ch. 309]
HB 588 - (Richmond) Ellerbe commissioners. [Ch. 310]
HB 589 - (Rockingham) County debt service transfer. [Ch. 311]
HB 595 - (Catawba) Maiden Plan-D election. [Ch. 312]
HB 597 - (Guilford) High Point civil service. [Ch. 313]
HB 606 - (Cabarrus) Township 4 parking regulations. [Ch. 314]
HB 607 - (Guilford) Local development funds. [Ch. 315]
HB 610 - (Avery) Commissioners increase. [Ch. 316]
HB 611 - (Avery) Publishing budget estimates. [Ch. 317]
HB 612 - (Dare) ABC enforcement. [Ch. 318]
HB 620 - (Catawba) Soil & water funds. [Ch. 319]
HB 623 - (Macon) Sheriff's travel allowance. [Ch. 320]
HB 637 - (Greene) Tax liens. [Ch. 321]
HB 644 - (Caldwell) Hudson officials. [Ch. 322]
HB 649 - (Gates) Tax collector appointment. [Ch. 323]
HB 652 - (Vance) Henderson fluoridation vote. [Ch. 324]
HB 670 - (Ashe) Commissioner's number. [Ch. 325]
HB 671 - (Ashe) West Jefferson aldermen vote. [Ch. 326]
HB 676 - (Dare) Roanoke Island birds. [Ch. 327]
HB 688 - (Rowan) Auditor appointment. [Ch. 328]
HB 692 - (Martin) Williamston garbage land. [Ch. 329]
HB 696 - (Caswell) Disbursement publication. [Ch. 330]
HB 697 - (Caswell) Budget publications. [Ch. 331]

Next session of Senate: 9:00 a.m., Saturday, May 6, for consideration of local bills only;

8:00 p.m., Monday, May 8.

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BULLETIN NO. 63
Friday, May 5, 1967

Session: House -- 9:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 926 - Introduced by Staton
"To amend G.S. 150-9 so as to make the Uniform Revocation of Licenses Act applicable to the North Carolina Real Estate Licensing Board." [Adds North Carolina Real Estate Licensing Board to listing of licensing boards in GS 150-9 covered by uniform revocation of licenses act. Effective July 1, 1967.] To Judiciary 1.

HB 930 - Introduced by Taylor of Transylvania
"To amend G.S. 20-94 relating to partial payment of license tax." [Amends GS 20-94 to provide that where gross amount of motor vehicle licenses to any one owner amounts to more than $200 (now, $400) half of such payment may, if Commissioner of Motor Vehicles is satisfied of financial responsibility of owner, be deferred until June 1, in any calendar year under stated procedures and upon payment of carrying charge of 1/2 of 1%.] To Finance.

HB 931 - Introduced by Messer and Speed
"Rewriting Article 35 of Chapter 106 of the General Statutes relating to the operation of public livestock markets and creating the public livestock market advisory board." [Rewrites GS 106, Art. 35 (Public Livestock Markets) to provide as follows: (1) Operation of a public livestock market within State shall require permit from Commissioner of Agriculture. Definition of public livestock market not to include: market where horses and mules exclusively sold; market selling only finished livestock to be used for immediate slaughter; dispersal sale of livestock by farmer, dairyman, breeder or feeder who has held all animals for at least 30 days and conducts no more than one sale in any 6-month period (new); or purebred livestock association sales and those of FFA, 4-H or similar groups (new); (2) Permit to be issued upon filing of specified application, payment of permit fee ($250, $200 of which shall be returned if application denied - new) and annual permit fee ($100, which shall be returned if application denied), and a public hearing by Comm'r (new) after specified notice to applicant, Public Livestock Market Advisory Board, and to the public. If Comm'r finds that applicant meets requirements of applicable laws he shall issue permit and if he denies permit applicant may appeal to Board of Agriculture and if denial upheld by Board appeal may be taken to Superior Court of Wake County (new) under procedures of GS 143, Art. 33 (judicial review procedures of administrative agencies). (3) Markets operating under valid permits issued in accord with present law shall not be required to follow new application procedures and shall be issued license upon payment of annual license fees and satisfaction of bonding requirements under new act (new). (4) Each public livestock market licensed under act shall furnish bond to commissioner of not less than $5,000 nor more than $50,000, (increased, from flat $2,000) as Comm'r may require, to secure performance of obligations incident to operation of market including prompt payment to vendors of livestock sold, provided Comm'r may waive bond in case of market bonded under Federal Packers and Stockyard Act. (5) Creates North Carolina Public Livestock Market Advisory Board (new) of eight members to be appointed before August 1, 1967 as follows: two livestock producers, two licensed livestock market operators, meat packer, State Veterinarian, licensed practicing veterinarian, employee of Markets Division of NC Department of Agriculture. Two members to be appointed for each of 1,2,3, or 4-year terms with vacancies to be filled for unexpired terms and new appointments to be for 4-year terms. Board to attend all hearings on

applications for market licenses and meet at least one annually as directed by Comm'r to make recommendations concerning livestock industry and regulations of Dept. of Agriculture with respect thereto. Board members not State employees, to receive same subsistence and travel allowances as other State boards. (6) Permit fees and annual permit fees collected under act to be used to defray expenses of Market Advisory Board in performance of duties and enforcement of act. (7) Prescribes procedures for revocation of permit by Board of Agriculture upon finding of violation of act or regulations promulgated thereunder, after specified notice and opportunity for hearing and appeal under GS 143, Art. 33. Upon application of Comm'r temporary or permanent restraining order may be issued by Superior Court. (8) Livestock markets licensed under act must meet regulations of Board of Agriculture and of Act as to facilities, sanitary conditions, record keeping, time of operation, notice, detailed provisions as to removal of cattle and swine from premises and as to their identification, and as to quarantine and marketing of diseased animals. Provides for all auctions to begin not later than 2:00 p.m. (now, at 1:00 with exceptions). Health provisions of act shall not apply to 'no-sale' cattle offered for sale at livestock market by bona fide farmer who has owned them at least 60 days. (9) Costs of all tests, serums, vaccines and other medical supplies necessary for enforcement of act and protection of livestock against contagious and infectious diseases shall be paid by owner of livestock and cost shall be lien against animals, provided commissioner, by consent of board of agriculture, may determine reasonable charges. (10) Knowing violation of provisions of act or rule or regulation duly established by Board of Agriculture, or willful failure by any officer or inspector to comply with provisions of act, shall be misdemeanor punishable by fine or imprisonment or both in discretion of court. Market operating under act shall not be responsible for health or death of animal sold if provisions of act complied with. Adds specific misdemeanors of removing ear or back tags or other approved identification marks before slaughter; and of transporting livestock purchased for immediate slaughter to any place other than recognized slauthter plant. (11) Effective July 1, 1967.] To Agriculture.

HB 935 - Introduced by Kiserby request

"To amend G.S. 108-49 to broaden the definition of dependent children under the aid to families with dependent children welfare program." [Amends GS 108-49 (definition of dependent children under aid to dependent children act) to define as "dependent child" one who has resided in State for one year immediately preceding the application for aid; or who was born within one year immediately preceding (now, who was born "within the State" within one year immediately preceding) the application for aid if the mother has resided in the State for one year immediately preceding the birth, "or application" (new). Effective July 1, 1967.] To Public Welfare.

HB 936 - Introduced by Clark of New Hanover

"To add Article 15B to Chapter 15 of the N.C. General Statutes, relating to the pre-trial examination of the State's witnesses and documentary evidence." [Adds new GS 15, Art. 15B, providing that in all criminal cases, assigned or resident district judge shall, for good cause shown, direct solicitor or other cousnel for State to produce for inspection, copying and testing by accused or his counsel any exhibits to be used in trial of case sufficiently in advance of trial to permit accused to prepare defense. Judge, for good cause shown, shall direct that accused or counsel be permitted to examine before CSC of county where case pending any witnesses to be offered by State in such trial regarding testimony such witness can give or propose to give. Order for examination of witness may contain such protective provisions on behalf of State or witness as judge deems reasonable and may direct attendance of such witnesses before clerk for examination.] To Judiciary 1.

HB 937 - Introduced by Strickland and others

"To amend G.S. 20-17(2) and G.S. 20-179 pertaining to driving a motor vehicle under the influence of intoxicating liquor or narcotic drugs and the penalties therefor." [Rewrites GS 20-17(2) (definition of convictions for which revocation by Department of Motor Vehicles of operator or chauffeur license is mandatory) as follows "second, third and subsequent convictions of driving a motor vehicle under the influence of intoxicating liquor and first and all subsequent convictions of driving a motor vehicle under the influence of a narcotic drug" (now, "Driving a motor vehicle while under the influence of intoxicating liquor or a narcotic drug"). Rewrites GS 20-179 to provide as follows: First offense of driving under influence of intoxicating liquor to be punishable by revocation of operator's or chauffeur's license for one year, a fine of $100 or imprisonment for not less than 30-days or both such fine and imprisonment; court may reduce revocation by allowing limited operation if necessary to prevent loss of employment as a condition of suspended sentence (now, for first offense for driving under influence of intoxicating liquor or narcotic drug fine of $100 or imprisonment for 30 days or both); second offence of driving under influence of intoxicating liquor or narcotic drugs by a combination of imprisonment for three days and fine of not less than $200 or by imprisonment for not less than 90 days (now, fine of not less than $200 or imprisonment for not less than 6 months or both) and second offense defined as second conviction of driving under influence within 10 years (new); third or subsequent offense of driving under influence of intoxicating liquor or narcotic drugs, by a combination of both imprisonment for seven days and $500 fine, or by imprisonment for not less than six months; court may allow person to be voluntarily committed to any alcoholic rehabilitation center maintained by NC Dept. of Mental Health for not less than 30 nor more than 60 days in lieu of imprisonment (now, fine of not less than $500 or by both fine and imprisonment in discretion of court) and third offense is defined as third conviction of driving under influence within 10 years (new). For purpose of enforcing act no offense committed prior to passage of act shall be considered.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 927 - (Ashe) Introduced by Barr

"Authorizing the Ashe County Board of Education to convey property to the Board of Commissioners of Ashe County." [As title indicates; property described by metes and bounds and known as Idlewild School house property; board of commissioners authorized to acquire it to be used as voting place or for any other public purpose.] To Counties, Cities and Towns.

HB 928 - (Wake) Introduced by Johnson, Twiggs, McMillan, and Bunn

"To approve and confirm contracts between the City of Raleigh and the Town of Cary and between the City of Raleigh and the Town of Garner with regard to the purchase of water from Raleigh by said towns." [Validates agreements between named municipalities stipulating terms and conditions under which water service will be furnished by Raleigh to the two towns, as recorded in Book 1707, Page 62 (Cary) and Book 1756, Page 57 (Garner) of Wake Register of Deeds, and incorporates agreements into act by reference. Provides that no action based on invalidity of confirmed contracts shall lie to enjoin issuance of, or to contest, any bonds authorized by Cary, Garner, or Raleigh to implement their contracts.] To Judiciary 1.

HB 929 - (Wake) Introduced by Johnson, Twiggs, McMillan, and Bunn

"To amend the charter of the Town of Cary as contained in Chapter 80 of the Private Laws of 1870-71, as amended relating to acreage charges for water and sewer and certain contracts relating to water and sewer." [Adds to Cary

charter provision authorizing governing board to establish and collect areage charges for making connections to town water and sewer system within and outside corporate limits. Such charges to apply uniformly to all properties but higher acreage charges may be made for property to be developed for commercial, institutional or industrial use and town may bas charges for residential development on number of dwellings per acre. Authorizes town to contract for water and sewer extensions by developers, agreeing to reimburse developer from acreage charge revenues for portion of costs in excess of acreage charges attributable to property; not such reimbursement shall be required for any part of costs of installing water or sewer lines within a subdivision to serve such su bdivision.] To Judiciary 1.

HB 932 - (Franklin) Introduced by Speed and Church
"To amend Article 6 of Chapter 87 of the General Statutes relating to water well contractors so as to make the same applicable to Franklin County." [Deletes Franklin from list of counties in GS 87-82 exempted from cited article (licensing of water well contractors).] To Counties, Cities and Towns.

HB 933 - (Franklin, Vance, Warren) Introduced by Speed and Church
"To make it a misdemeanor to abandon domestic animals on public highways, public places, or property of another in Franklin, Vance,and Warren Counties." [As title indicates.] To Judiciary 2.

HB 934 - (Rutherford) Introduced by Harrill
"To amend G.S. 14-346.1, relating to the sale of bay rum, so as to make the same applicable to Rutherford County." [As title indicates. (Cited section prohibits sale of bay rum except (1) to a pharmacy or drug store supervised by licensed pharmacist, (2) made pursuant to prescription of licensed physician or (3) made to licensed barber for use in course of treatments given or services performed in barber shop and not for resale. Violation is a misdemeanor punishable by fine or imprisonment in discretion of court.)] To Judiciary 1.

HB 938 - (Wake) Introduced by Johnson, McMillan, Bunn and Twiggs
"To amend Chapter 755, Public-Local Laws of 1915, as amended, and Chapter 557, Public-Local Laws of 1939, as amended, relating to the prosecuting attorney of the Wake Forest Recorder's Court." [Adds provision authorizing Wake Forest Bd. of Comm'rs to appoint prosecuting attorney licensed to practice law and resident of Wake County in event prosecuting attorney is not elected according to 1939 Public-Local Laws, Ch. 557, (Election of court officers) and any other laws relating to Wake Forest Recorder's Court.] Passed three readings; sent to Senate.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 104 - Abortion justification (Senate committee substitute 3/30), as amended in Senate 4/4 and 4/5. Amendments adopted to clarify Act reference to "mother" as meaning the pregnant woman seeking abortion; to clarify term "incompetent" to mean one adjudicated by court to be incompetent; to permit husband of minor or incompetent to give consent (instead of parent); to replace term "operation" with term "abortion" in reference to aborting act that may be performed by licensed medical practitioner in licensed hospital to specify that certifying doctors of medicine to actually examine woman before certifying to abortion necessity. Passed third reading.

SB 219 - Noncourthouse comm'r meetings, as amended in Senate 4/26. Postponed to 5/1

HB 43 - Judicial sales changes. Amendments adopted deleting portions of Act relating to upset bid process; and portion of Act which would change present GS 45-21.10(a) relating to cash deposits at sales. Passed second and third readings.
HB 118 - Clergymen's privilege. Postponed to 5/10.
HB 211 - Six month voter residence. Postponed to 5/10.
HB 364 - Non-commercial clamming. Passed second and third readings.
HB 406 - Municipal utility mutual aid. Passed second and third readings.
HB 465 - 7% interest rate, as amended in House 5/1. Passed second reading.
HB 467 - Veterans Comm'n & Scholarships. Postponed to 5/10.
HB 529 - Judges to be attorneys. Postponed to 5/9.
HB 532 - Hospital district bonds. Passed second reading.
HB 656 - Boiler inspector fees. Amended to delete criminal penalty provision for willful failure to pay boiler inspector fees. Passed second reading.
HB 616 - Charitable immunity no defense. Re-referred to Judiciary 1.

LOCAL BILLS

SB 248 - (Robeson) Confirms drainage district. Passed third reading.
SB 249 - (Robeson) Aiding county poor. Passed third reading.
SB 250 - (Gaston) Gastonia public contracts. Received from Senate; sent to Counties, Cities and Towns.
SB 273 - (Union) Monroe salaries. Passed.
SB 291 - (Wayne) Goldsboro aldermen pay. Passed.
SB 299 - (Onslow) Property tax refunds. Passed.
SB 306 - (Guilford) High Point council pay. Passed.
SB 312 - (Stanly) Vocational workshop funds. Passed.
SB 322 - (Carteret, Craven, Pamlico) Trash removal regulation. Passed.
SB 323 - (Carteret, Craven, Pamlico) Abandoning domestic animals. Passed.
SB 325 - (Henderson) Hendersonville ABC Board. Reported favorably; passed.
SB 331 - (McDowell) Map law exemption. Received from Senate; sent to Counties, Cities and Towns.
SB 339 - (Cumberland) County zoning. Received from Senate; sent to Local Government.
SB 341 - (Madison) Tax lien limitation. Received from Senate; sent to Local Government.
SB 354 - (Alamance) Burlington airport sale. Received from Senate; sent to Local Government.
SB 362 - (Lenoir) Industrial development funds. Received from Senate; sent to Local Government.
SB 363 - (Stanly) Albemarle firemen pension. Received from Senate; sent to Local Government.
SB 378 - (Orange) Hillsboro elections. Received from Senate; sent to Counties, Cities and Towns.

HB 499 - (Orange) Chapel Hill Appearance Comm. Passed.
HB 511 - (Craven) Vanceboro property tax. Amended to subject Vanceboro to tax limitations and provisions of GS 160-397 (relating to tax levies for bond payment).
HB 702 - (Gaston) Tax listing regulations. Passed.
HB 705 - (Gaston) Public Building contracts. Passed.
HB 711 - (Burke) Valdese early tax discount. Passed.
HB 712 - (Burke) Valdese tax liens. Passed.
HB 714 - (Mecklenburg) Cornelius officials comp. Passed.
HB 716 - (Mecklenburg) County zoning changes. Passed.
HB 719 - (Rowan) Public library tax. Passed third reading.
HB 720 - (Rowan) Coronor's fees. Passed.
HB 721 - (Rowan) Officials' salaries. Passed.
HB 723 - (Rowan) Tax listing regulations. Passed.
HB 726 - (Columbus) Peace officers' association. Passed.

HB 728 - (Dare) Commissioners' vacancy. Passed.
HB 730 - (Hyde) Englehard charter repeal. Passed.
HB 744 - (Northampton) Water-sewer assessments. Passed third reading.
HB 759 - (Pamlico) Florence White school deed. Passed.
HB 762 - (Vance) Officials pay. Passed.
HB 764 - (Columbus) Municipal ABC vote. Recalled from Senate.
HB 765 - (Burke) Commissioners' pay. Passed.
HB 777 - (Rutherford) Small watershed programs. Passed third reading.
HB 780 - (Lenoir) Kinston city school unit. Passed third reading.
HB 782 - (Alleghany) Prohibiting firearm discharge. Passed.
HB 784 - (Guilford) Special tax office expense. Passed third reading.
HB 785 - (Mecklenburg) Bail bondsmen regulation. Passed.
HB 790 - (Chatham) Goldston officials salaries. Passed.
HB 799 - (Cumberland) Fayetteville outside zoning. Postponed to 5/16,
HB 807 - (Alamance) Burlington voting hours. Passed.
HB 808 - (Alamance) Burlington housing appeals. Passed.
HB 809 - (Alamance) Ambulance service fees. Amended to make Act also applicable to Gaston and Orange Counties. Passed.
HB 825 - (Nash, Edgecombe) Rocky Mt. planning board. Passed.
HB 826 - (Watauga) Officials salaries. Amendment adopted to set fee of County jailer at maximum of $2,400 per year plus fees. Passed.
HB 842 - (Randolph) Asheboro Charter revision. Passed third reading.
HB 843 - (Mecklenburg) Charlotte underground. Passed.
HB 848 - (Chatham) Uncollected taxes. Passed.
HB 850 - (Harnett) Commissioner elections. Passed.
HB 852 - (Lee) Joint planning board. Passed.
HB 854 - (Lee) Minimum housing standards. Passed.
HB 858 - (Lincoln) Lake Norman constable. Passed.
HB 859 - (Lincoln) Full-time registration. Passed.
HB 860 - (Lincoln) Medical examiner. Passed.
HB 861 - (Lincoln) Municipal incorporation. Passed.
HB 863 - (Lincoln) Alderman's interward moves. Passed.
HB 867 - (Cabarrus) Filling commissioner vacancies. Reported unfavorably.
HB 870 - (Watauga) Courthouse construction. Passed third reading.
HB 871 - (Caldwell) Lenoir Charter revised. Passed third reading.
HB 876 - (Buncombe) Electrical inspectors. Reported unfavorably.
HB 897 - (Durham) Durham city wards. Passed.
HB 914 - (Wilson) Temporary court quarters. Passed.
HB 915 - (Wilson) Comm'rs appoint list takers. Passed.
HB 938 - (Wake) Wake Forest prosecutor. Passed.

Unnumbered House Resolutions:

HR [A] - Introduced by McMillan of Wake and Strickland
"Authorizing and directing the Legislative Research Commission to study matters pertaining to the use of motion pictures as evidence in cases involving persons apprehended for driving a motor vehicle while under the influence of intoxicating beverages or narcotic drugs." [Directs Legislative Research Commission to study advisability and feasibility of using motion pictures authorized and/or produced by law enforcement officers in cases involving persons apprehended for driving motor vehicles under influence of intoxicating beverages or narcotic drugs. Commission to report findings and recommendations to 1969 General Assembly.] To Rules.

Next session of House: 9:00 a.m., Saturday, May 6, 1967 for consideration of local bills only.
8:00 p.m., Monday, May 8, 1967.

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DAILY BULLETIN

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BULLETIN NO. 64

Monday, May 8, 1967

Note: The Senate convened at 9:00 a.m. Saturday, May 6, 1967, to consider local bills only. No bills where introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 419 - Introduced by Burney
"To amend G.S. 87-1 relating to the definition of a 'general contractor'." [Amends cited section (defining "general contractor" for purposes of Chapter on licensing of such contractors) to include one who for a fixed price, commission, fee, or wage, superintends the construction of any building or other improvements, and to make conforming change in definition of those deemed to have been engaged in business of general contracting. Adds provision exempting employees of licensed general contractor while performing duties for such licensed general contractor from application of act.] To Judiciary 2.

SB 420 - Introduced by McLendon and others
"To reduce the size of the Board of Trustees of the University of North Carolina, to provide for the election of the chairman of the Board, and to provide for a new Board of Advisers for the University of North Carolina." [Identical with HB 940, digested in the House section of today's bulletin.] To University Trustees.

SB 421 - Introduced by Austin
"To repeal Part 2, Article 3A of Chapter 20 of the General Statutes pertaining to safety equipment inspection of motor vehicles." [As title indicates.] To Highway Safety.

SR 422 - (Joint Resolution) Introduced by Dent
"Urging the rejection of the Federal program known as Community Action News Demonstration Project in Watauga, Avery, Mitchell, and Yancey Counties." [As title indicates.] To Interstate and Federal Relations.

SB 425 - Introduced by White of Lenoir
"To prescribe rules of evidence in proceedings before state administrative agencies." [Adds new Article 33A to GS Ch. 143 making following provisions: Defines administrative agency "as any State authority, board, bureau, commission, committee, department, or office authorized by law to make administrative decisions except agencies in legislative and judicial departments, Utilities Commission, North Carolina Industrial Commission, and institutions and agencies operating pursuant to GS Ch's. 115, 115A, and 116 (educational institutions). Provides for rules of evidence as applied in Superior Court Division of General Court of Justice

to be followed in all proceedings before administrative agencies wherein legal rights, duties or privileges of parties are required to be determined after opportunity for hearing; incompetent, irrelevant, immaterial, unduly repetitious, and hearsay evidence to be excluded. Documentary evidence may be received as copies or excerpts if original not readily available with parties, upon request, to be given chance to compare copies with original. Notice may be taken of judicially cognizable facts and of generally recognized technical or scientific facts within agency's specialized knowledge, with parties to be notified before or during hearing, or by reference in preliminary reports or otherwise, to the material noticed, including any staff memoranda or data, and given opportunity to contest material so noticed. Agency's experience, technical competence, and specialized knowledge may be utilitzed in evaluation of evidence. Identical with HB 943.] To Judiciary 1.

SB 426 - Introduced by Griffin and Harrington

"To amend Chapter 116 of the General Statutes of North Carolina relating to the number, election, and terms of members of the board of trustees of the University of North Carolina." [Amends GS 116-4 to provide for staged reduction in size of board of trustees from present 100 to 42 members, as follows: (1) 25 of current terms which began in 1959 are to expire in 1967, 25 terms which began in 1961 are to expire in 1969, and 50 terms which began in 1963 and 1965 are to expire in 1971; (2) in 1967 and each two years thereafter, General Assembly is to elect 11 trustees (one from each congressional district) and Governor is to appoint three trustees, all to serve 6-year terms. (Now General Assembly elects 25 members each two years to serve 8-year terms.) All terms begin July 1 following selection. No spouse of member of General Assembly to be eligible for selection during member's legislative term. Amends GS 116-4 to (1) delete requirement that at least ten trustees be women; and (2) remove Superintendent of Public Instruction as ex-officio trustee. Repeals GS 116-5 (which makes former governors honorary trustees). Rewrites GS 116-7 to (1) require Governor to appoint to fill vacancies among elected trustees until next regular legislative session, when vacancies are to be filled for unexpired term by legislative election (now, only legislature can fill vacancies); (2) require Governor to fill vacancies among his appointees for unexpired term; and (3) provide that failure to attend at least one regular trustee meeting in 12 months (now two years), unless due to military service, causes loss of seat. Amends GS 116-8 to authorize chairman to call special meetings of board. Amends GS 116-9 to (1) terminate Governor's chairmanship of board effective June 30, 1967; (2) provide that at first board meeting after June 30, 1967, and every two years thereafter, board is to elect from its membership chairman, vice-chairman, secretary, and treasurer, all to serve 2-year terms; (3) to provide that Secretary of State is to call and preside over meeting each July of odd-numbered year, when officers will be elected; and (4) to empower Governor to call special meetings of board of trustees. Rewrites GS 116-11 to (1) require board to elect 12-member executive committee for 2-year terms (executive committee now authorized but composition is not specified by statutes); (2) limit continuous service on committee to three 2-year terms; and (3) require executive committee to elect own chairman, vice-chairman, and secretary from its membership at first meeting after July 1, 1967, and every two years thereafter. Identical with HB 941.] To University Trustees.

LOCAL BILLS INTRODUCED -- SENATE

SB 423 - (Craven) Introduced by Whitehurst

"To amend Chapter 742, Session Laws of 1965, relating to the compensation of the members of the Craven County Board of Education." [Amends cited Chapter to raise from $20 to $30 payment to chairman of school board for each meeting attended and from $15 to $25 the payment for other members of board.] To Education.

SB 424 - (Craven) Introduced by Whitehurst
"To amend Article 20B of Chapter 153 of the General Statutes, relating to county zoning and building regulations, so as to make the same applicable to Craven County." [Deletes Craven from those counties exempted by GS 153-266.22 from application of cited article (county zoning and regulation of buildings).] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 104 - Abortion justification (Senate committee substitute 3/30), as amended in Senate 4/4 and 4/5 and in House 5/5. Received from House for concurrence in House amendments; concurred.
SB 174 - Revenue bond sales. Passed second and third readings.
SB 381 - Gas users tax rebate. Postponed to 5/9.
SB 393 - Warehouse Act produce levy. Passed third reading.

HB 43 - Judicial sales changes, as amended in House 5/5. Rec'd from House; sent to Judiciary 1.
HB 191 - Surplus fund investment. Postponed to 5/10.
HB 364 - Non-commercial clamming. Received from House; sent to Conservation and Development.
HB 406 - Municipal utility mutual aid. Rec'd from House; sent to Public Utilities.
HB 446 - Const. change : legislator pay. Postponed to 5/9.
HB 471 - Senate & House districts. Received from House; sent to Constitution.

LOCAL BILLS

SB 349 - (Edgecombe) Tarboro Charter revision. Amendments adopted making technical changes and excluding police jurisdiction within corporate limits of Town of Princeville (originally, police jurisdiction extended to all territory within corporate limits of Princeville). Passed second reading.
SB 350 - (Edgecombe) Tarboro elections. Passed.
SB 365 - (Onslow) Validates school land transfer. Passed.
SB 369 - (Stanly) Surveyor registration. Passed.
SB 370 - (Union) Monroe stadium lease. Passed.
SB 375 - (Swain) Bd. of comm'rs powers. Passed.
SB 397 - (Union) County employees retirement. Passed.

HB 499 - (Orange) Chapel Hill Appearance Comm. Rec'd from House; sent to Counties, Cities and Towns.
HB 602 - (Johnston) CSC fund transfer. Passed.
HB 603 - (Johnston) Jail fees. Passed.
HB 627 - (Forsyth) Joint purchasing. Passed.
HB 628 - (Forsyth) Airport commission. Passed.
HB 669 - (Guilford) Bail bondsmen. Passed.
HB 679 - (Carteret) Beaufort historic buildings. Passed.
HB 680 - (Carteret) Beaufort town seal. Passed.
HB 702 - (Gaston) Tax listing regulations. Received from House; sent to Counties, Cities and Towns.
HB 705 - (Gaston) Public building contracts. Received from House; sent to Counties, Cities, and Towns.
HB 711 - (Burke) Valdese early tax discount. Rec'd; to Counties, Cities & Towns.
HB 712 - (Burke) Valdese tax liens. Rec'd; to Counties, Cities & Towns.
HB 714 - (Mecklenburg) Cornelius officials comp. Rec'd; sent to Salaries & Fees.
HB 716 - (Mecklenburg) County zoning changes. Rec'd; sent to Counties, Cities & Towns.
HB 719 - (Rowan) Public Library tax. Rec'd; to Counties, Cities and Towns.
HB 720 - (Rowan) Coroner's fees. Rec'd; to Salaries and Fees.

HB 721 - (Rowan) Officials' salaries. Rec'd; to Salaries and Fees.
HB 723 - (Rowan) Tax listing regulations. Rec'd; to Counties, Cities and Towns.
HB 726 - (Columbus) Peace officers' association. Rec'd; to Counties,Cities & Towns.
HB 728 - (Dare) Commissioners' vacancy. Rec'd; to Counties, Cities & Towns.
HB 730 - (Hyde) Englehard charter repeal. Rec'd; to Counties, Cities & Towns.
HB 744 - (Northampton) Water-sewer assessments. Rec'd; to Counties, Cities & Towns.
HB 759 - (Pamlico) Florence White school deed. Rec'd; to Education.
HB 762 - (Vance) Officials pay. Rec'd; to Salaries and Fees.
HB 765 - (Burke) Commissioners' pay. Rec'd; to Counties, Cities & Towns.
HB 777 - (Rutherford) Small watershed programs. Rec'd; to Counties, Cities & Towns.
HB 780 - (Lenoir) Kinston city school unit. Rec'd; to Education.
HB 782 - (Alleghany) Prohibiting firearm discharge. Rec'd; to Judiciary 2.
HB 784 - (Guilford) Special tax office expenses. Rec'd; to Counties, Cities & Towns
HB 785 - (Mecklenburg) Bail bondsmen regulated. Rec'd; to Counties, Cities & Towns.
HB 790 - (Chatham) Goldston officials salaries. Rec'd; to Salaries & Fees.
HB 807 - (Alamance) Burlington voting hours. Rec'd;to Elections & Election Laws.
HB 808 - (Alamance) Burlington housing appeals. Rec'd; to Judiciary 2.
HB 809 - (Alamance, Gaston, Orange) Ambulance service fees. Rec'd; to Counties, Cities & Towns.
HB 825 - (Edgecombe, Nash) Rocky Mt. planning bd. Rec'd; to Counties, Cities & Town
HB 826 - (Watauga) Officials salaries. Rec'd; to Salaries and Fees.
HB 842 - (Randolph) Asheboro Charter revision. Rec'd; to Counties, Cities & Towns.
HB 843 - (Mecklenburg) Charlotte underground. Rec'd; to Counties, Cities & Towns.
HB 848 - (Chatham) Uncollected taxes. Rec'd; to Judiciary 2.
HB 850 - (Harnett) Commissioner elections. Rec'd; to Judiciary 2.
HB 852 - (Lee) Joint planning board. Rec'd; to Judiciary 2.
HB 853 - (Lee) Temporary county offices. Passed.
HB 854 - (Lee) Minimum housing standards. Rec'd; to Judiciary 2.
HB 858 - (Lincoln) Lake Norman constable. Rec'd; to Counties, Cities & Towns.
HB 859 - (Lincoln) Full-time registration. Rec'd; to Elections & Election Laws.
HB 860 - (Lincoln) Medical examiner. Rec'd; to Public Health.
HB 861 - (Lincoln) Municipal incorporation. Rec'd; to Counties, Cities & Towns.
HB 863 - (Lincoln) Alderman's interward moves. Rec'd; to Counties,Cities & Towns.
HB 870 - (Watauga) Courthouse construction. Rec'd; to Counties, Cities & Towns.
HB 871 - (Caldwell) Lenoir Charter revised. Rec'd; to Counties, Cities & Towns.
HB 892 - (Cumberland) Exempt U.S. property tax. Passed.
HB 895 - (Wilson) Abandoned animals. Passed.
HB 897 - (Durham) Durham city wards. Rec'd; to Counties, Cities & Towns.
HB 914 - (Wilson) Temporary court quarters. Rec'd; to Courts & Judicial Districts.
HB 915 - (Wilson) Comm'rs appoint list takers. Rec'd; to Counties, Cities & Towns.
HB 938 - (Wake) Wake Forest prosecutor. Rec'd; to Courts & Judicial Districts.

Next session of Senate: 12 noon, Tuesday, May 8, 1967.

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BULLETIN NO. 64
Monday, May 8, 1967

Note: The House convened at 9:00 a.m., Saturday, May 6, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 939 - Introduced by Baugh

"To amend Chapter 105 of the General Statutes by inserting a new article therein imposing a tax on cigars, cigarettes, and smoking tobacco." [Adds to GS Ch. 105 new Art. 2A, Schedule B-A "Tobacco Tax", effective July 1, 1967 and providing as follows: (1) Defines "cigars" as rolls of tobacco or substitute wrapped in tobacco; "cigarettes" as rolls wrapped in paper or other material (except tobacco); "smoking tobacco" as tobacco suitable for smoking in pipe or in cigarette rolled by consumer; "within this State" as including federal territory. (2) Levies privilege tax on all sellers of cigarettes (at 1/4 of 1¢ per cigarette) and of cigars or smoking tobacco (at 2¢ per 10¢ or major fraction thereof of usual retail sales price per package); and use tax at same rates on use, consumption or possession for use of same items, but not applicable if privilege tax has been paid. Requires inventories of supplies on hand July 1, 1967 to be filed with Comm'r of Revenue within 20 days thereafter, and tax to be paid thereon at that time. Authorizes wholesaler in interstate business to set aside stock for interstate business without paying taxes or affixing stamps thereon. (3) Requires (nonassignable) license for sale, or for acquisition for sale, in NC of cigarettes, cigars or smoking tobacco (hereinafter referred to as "C-C-S-T"), as follows: wholesale dealer, license for each place of business at $10 fee each; retail dealer operating one or more vending machines, license at $1 fee; other retail dealers, license for each place of business at $1 each; out-of-state dealer, license without fee. Provides for details of license administration, including performance bond (in Comm'r's discretion); duplicate licenses; revocation of licenses for violations of Act or regulations or ceasing to act in licensed capacity; for reporting by consumers or transporters of unstamped C-C-S-T; and for record keeping by all licensees. (4) Provides for evidence of tax payment by tax stamps, to be sold directly by Comm'r, or to be released (tax paid stamps) by approved stamp manufacturer to taxpayers; Comm'r authorized to permit any licensed dealer to use approved stamp metering machine, if determined practicable and directed to allow 3% discount on any sale in excess of $25 in stamps and to redeem unused stamps at 97% face value; Comm'r also directed to make appropriate refunds on shipments of stamped C-C-S-T out of state or on sales to agencies which State is prohibited from taxing under US law or Constitution. Requires licensed dealers, exclusively, to affix stamps within 48 hours of receipt of unstamped C-C-S-T (exclusive of Saturdays, Sundays or holidays). Authorizes sale of stamps to out-of-state dealers selling into NC, if tax collection would be facilitated; out-of-state dealer must furnish performance bond, submit books to reasonable inspection, and automatically constitutes Secretary of State as process agent. Permits Comm'r to relieve manufacturers shipping to licensed wholesale dealers from payment of taxes and affixing of revenue stamps. (5) Prohibits: sale, borrowing or exchange of non-stamped C-C-S-T among licensed dealers; sale, offering for sale, or display for sale of unstamped C-C-S-T; maintaining without a license a place of business required by Act to be licensed; failure to keep or produce for inspection required records, or make required reports, or making false entries or reports; transporting unstamped C-C-S-T or failing to comply with reasonable regulations of Comm'r with respect thereto. Makes possession of unstamped C-C-S-T prima facie evidence of possession in violation of law, and provides for confiscation by Comm'r of unstamped C-C-S-T.

Declares violations for which no specific penalty provided to be misdemeanors, punishable by fine or imprisonment or both, in discretion of court. Makes forging or counterfeiting of revenue stamps, or passing or tendering such stamps as true, for purposes of evading tax, a felony punishable by up to $2,000 fine or five years prison, or both, in discretion of court; also makes securing or manufacturing or possessing counterfeit impression device a felony, similarly punishable. Makes neglect or failure to pay tax due subject to 1/2 of 1% monthly interest and 50% penalty. (7) Authorizes Comm'r to make reasonable regulations for administration of Act. Makes provisions of GS Ch. 105, Art. 9 (general administration) applicable when consistent herewith. Provides for tax to be paid only once to State, regardless of number of sales, but authorizes seller to add amount of tax to sales price. (8) Prohibits counties, cities or towns from levying any tax on C-C-S-T other than as permitted by GS Ch. 105, Art. 2 (Schedule B License Tax). (9) Provides for net proceeds of tax, after deduction of collection cost equivalent, to be distributed annually within 60 days after June 30 by Comm'r to the counties for use for school purposes only; amounts distributable to each county to be based on relative amount of sales and use tax collected within county; Comm'r to use gross collections tabulated for each county, as it relates to total sales and use tax for 100 counties, in determining percentage of tax collected from particular county.] To Finance.

HB 940 - Introduced by McFadyen and Tate

"To reduce the size of the Board of Trustees of the University of North Carolina, to provide for the election of the Chairman of the Board, and to provide for a new Board of Advisors for the University of North Carolina." [Amends GS 116-4 to provide for staged reduction in size of board of trustees from present 100 to 24 with 8-year terms of trustees which began in 1959, 1961, 1963 and 1965 to expire in due course; in 1967 and each two years thereafter, General Assembly to elect six trustees to 8-year terms; terms begin July 1 next following election; vacancies to be filled by General Assembly. Removes living Governors from automatic membership (by repeal of GS 116-5); provides that ex officio board status of Superintendent of Public Instruction to cease June 30, 1973, and deletes requirement that at least 10 trustees be women. No member of General Assembly nor spouse of member eligible for board election during member's legislative term. Provides that, as far as practicable, board to include at least one member resident of each congressional district, and all members to receive subsistence and travel allowance as for members of State boards generally (GS 138-5). Requires that there be four (now, three) trustee meetings annually; provides that Governor to cease as trustee chairman on June 30, 1973 and that thereafter trustee chairman to be elected biennially from membership with provisions for temporary and pro tempore chairmen. Adds provision to GS 116-11 (relating to trustee executive committee) prohibiting successive terms on executive committee. Conforms various Sections to accommodate reduced size and new complexion of board membership.

Creates "Board of Advisors of The University of North Carolina" (by addition of GS 116-16.1) to consist of 100 members elected by joint ballot of General Assembly to serve initial 2, 4, 6, and 8-year (25 each) terms commencing July 1, 1973 and terminating April 1, 1975, 1977, 1979 and 1981 respectively; thereafter, as terms expire, successors elected for 8-year terms, vacancies filled by General Assembly. Advisors ineligible for successive terms, but may be returned after 2-year lapse. Members of advisor board to elect chairman and other officers from own membership on July 1, 1973 and each two years thereafter; members receive no compensation or reimbursement for service and are deemed to be commissioners of public charities within meaning of NC Const. Art. XIV, Sec. 7.] To Trustees of the University.

HB 941 - Introduced by Ragsdale and others

"To amend Chapter 116 of the General Statutes of North Carolina relating to the number, election, and terms of members of the Board of Trustees of the University of North Carolina." [Identical with SB 426, digested in the Senate section of today's bulletin.] To Trustees of the University.

HB 943 - Introduced by High
"To prescribe rules of evidence in proceedings before State administrative agencies." [Identical with SB 425, digested in the Senate section of today's Bulletin.] To Judiciary 1.

HR 944 - (Joint Resolution) Introduced by Bowles and others
"To establish the Local Government Study Commission." [Creates Local Government Study Commission to study governmental structure, powers, public policies, duties, and limitations of counties, cities, towns, and other local governmental units in State as prescribed by Constitution and law of State, and to make recommendations not later than March 1, 1969, to General Assembly concerning such amendments or revisions of Constitution and statutes as Commission finds conducive to maintenance of effective and responsible local government. Commission to be appointed on July 1, 1967, and consist of following members: three Senators appointed by President of Senate, three Representatives appointed by Speaker of House, and three citizens appointed by Governor. Members shall receive per diem, travel and subsistence allowances set by GS 138-5 (per diem and allowances of State boards) and Commission may employ such assistance and procure such materials and services it deems necessary. Expenses of Commission to be paid from Contingency and Emergency Fund under procedures of GS 143-12. Every agency of State and subdivisions thereof shall provide Commission with such information and assistance as it shall request, as provided under GS 120 (General Assembly).] To Counties, Cities and Towns.

HB 945 - Introduced by Leatherman and others
"To amend G.S. 148-33.1 relating to prisoners with work release privileges." [Amends GS 148-33.1(f) (disposition of funds earned by prisoners on work release) to provide for priority of disbursements from balance of earnings after retaining to prisoner's credit amount seemingly necessary to accumulate reasonable amount for payment to him on his parole or discharge, as follows: (1) travel and other expenses necessitated by employment, (2) reasonable allowance for personal expenses, (3)payments for support of dependents per order of court, or, in absence of such order, per determination of dependency status and need made by local department of public welfare in county of dependents' residence, (4) payments per order of court of obligation in connection with case before court, and (5) written request of prisoner, (now, Prison Department may use balance, with no priority expressly stated, to allow prisoner to draw sufficient sum to cover incidential expenses, to accumulate release fund, and to cause to be paid through county public welfare department amount for support of dependents).] To Penal Institutions.

HB 946 - Introduced by Bunn and others
"To divide North Carolina into Congressional Districts." [Rewrites GS 163-103 (established US Congressional Districts) to redistrict for purpose of nominating and electing NC Representatives to US Congress in 1968 and every two years thereafter. Provides for one Representative from each of 11 districts as follow:

District 1: Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Gates, Halifax, Hertford, Hyde, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Warren, Washington.
District 2: Carteret, Craven, Duplin, Harnett, Jones, Onslow, Pender, Sampson, Wayne.
District 3: Edgecombe, Greene, Johnston, Lenoir, Wake, Wilson.
District 4: Caswell, Durham, Franklin, Granville, Nash, Orange, Person, Rockingham, Vance.
District 5: Alamance, Guilford, Randolph.
District 6: Alleghany, Ashe, Avery, Caldwell, Forsyth, Stokes, Surry, Watauga, Wilkes, Yadkin.
District 7: Bladen, Brunswick, Columbus, Cumberland, Hoke, New Hanover, Robeson.
District 8: Anson, Mecklenburg, Richmond, Scotland, Union.
District 9: Cabarrus, Chatham, Davie, Davidson, Lee, Montgomery, Moore, Rowan, Stanly.

District 10: Alexander, Burke, Catawba, Cleveland, Gaston, Iredell, Lincoln.
District 11: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey.
Present law (GS 163-103 as amended in 1966) to remain in force until Jan., 1969 to govern filling of any vacancy occuring in term of office which ends in Jan. 1969.] To Congressional Districts.

HB 950 - Introduced by Hamrick and others
"To amend G.S. 130-128 relating to rules and regulations of sanitary districts." [Adds to cited section (corporate powers of sanitary districts) new subsections (1) making it a misdemeanor punishable by fine or imprisonment in discretion of court to fail to comply within 30 days or in time extended by sanitary district board after notice with rule or regulation of board ; and (2) authorizing board to enforce rules or regulations adopted under its corporate powers by criminal or civil action, including injunction.] To Judiciary 1.

LOCAL BILLS

HB 942 - (Scotland) Introduced by Kiser
"Relating to the compensation of the Board of County Commissioners of Scotland County." [Sets compensation of county commissioners at $25 per day for each regular meeting of county board (now, up to $10 per day authorized) and $10 per day for each called meeting; chairman, $35 per day for regular meetings (now, up to $25 per day authorized) and $25 per day for called meetings. Ratifies prior payments to commissioners in accordance with scale established by Act.] To Salaries and Fees.

HB 947 - (Orange) Introduced by Stanford
"To amend Chapter 87 of the Session Laws of 1961 relating to the charter of the Town of Chapel Hill and to provide for the ownership and operation of a public transportation system." [Adds new section to Chapel Hill charter, to empower board of aldermen to acquire, operate, or franchise a public transportation system in town and enter into contracts with respect thereto with UNC at Chapel Hill and Chapel Hill City Board of Education to operate system deemed advisable both within and without town limits and to provide for financing thereof through expenditure of public funds, issuance of bonds, notes and other lawful indebtedness.] To Counties, Cities and Towns.

HB 948 - (Forsyth) Introduced by Hamrick and Bailey
"To provide an additional procedure by which the City of Winston-Salem may acquire property for public purposes by eminent domain." [Empowers City of Winston-Salem to acquire land or interest in land, for any public purpose for which it is authorized to acquire same by condemnation both within and outside corporate limits, by proceeding in accordance with GS 136, Art. 9 (providing condemnation procedures for State Highway Commission). In applying said act to city the words "City of Winston-Salem" shall be substituted for references to State Highway Commission; the words "Mayor or City Manager" shall be substituted for references to "Chairman of the State Highway Commission" or similar references; "Winston-Salem" shall be substituted for "Raleigh"; and "public purposes" or an appropriate reference to particular project of city for which land or interest is being acquired shall be substituted for "highway purposes" or similar references. Powers given under act shall be in addition to any other condemnation procedures available to Winston-Salem.] To Judiciary 1.

HB 949 - (Forsyth) Introduced by Bailey, Ingle, Jemison, and McKnight "Amending the Charter of the City of Winston-Salem." [Rewrites Sec. 111 (specifying cases in which aldermen may sell land at private sale) of Winston-Salem charter (Ch. 232, Priv. L. 1927 as amended) to provide that Board of Aldermen may sell without advertising or public sale on terms deemed just, real property or interest in it, in following cases: in exchange for land, easements, or rights-of-way for public purpose; to abutting landowner or public utility where land is between private property and public property and public sale of such remnant is impractical, any such sale to be based on fair market value as conclusively determined by aldermen after appraisal of property by not less than three qualified, disinterested, real estate appraisers with appraisals to be recited in or attached to resolution authorizing sale or exchange (1927 Act authorizes sale of land remnants obtained in connection with street opening or widening but not required for street and of land vacated as public street, when there will be street assessment on land not greater than value of land).] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 262 - School damage rewards. Passed second and third readings.

HB 465 - 7% interest rate, as amended in House 5/1. Passed third reading.
HB 496 - Officials subpoena information. Passed second and third readings.
HB 532 - Hospital district bonds. Clarifying floor amendment adopted. Passed third reading.
HB 539 - Tax foreclosure surplus. Amended to delete provision of original bill, amending GS 105-391(s), that surplus paid into court after distribution is to be paid by clerk to person legally entitled, if known. Passed second and third readings.
HB 565 - Boiler inspection fees. Passed third reading.
HB 582 - Official records distribution. Passed second reading.
HB 584 - Suspend provisional licensees. Floor amendment adopted to provide that parental revocation procedures set up by act not to apply to any child who has been married or otherwise emancipated. Tabled. Motion to lay motion to reconsider upon the table adopted.
HB 656 - Tax penalty combat exemption. Passed second and third readings.
HB 673 - County orthopedic funds. Passed second and third readings.
HB 686 - Validating spouse contracts. Passed second and third readings.
HB 691 - Car insurance, license penalty. Postponed to 5/9.
HB 922 - Guilford 200-year Commission. Passed second and third readings.

LOCAL BILLS

SB 220 - (Cleveland) Kings Mt'n officials salaries. Passed.
SB 274 - (Union) Monroe ambulance services. Passed.
SB 276 - (Mitchell) County officials. Received from Senate; sent to Local Government.
SB 283 - (McDowell) Officials pay. Passed.
SB 284 - (McDowell) Commissioners pay. Passed.
SB 300 - (Onslow) Beer license collections. Passed.
SB 301 - (Catawba) Hickory school board deeds. Passed.
SB 315 - (Polk) Ambulance aid. Passed.
SB 316 - (Polk) Columbus land sale. Passed.
SB 317 - (Polk) Commissioners' salaries. Passed.
SB 318 - (Polk) Deeds register tax collecting. Passed.
SB 326 - (Polk) School board compensation. Received from Senate; sent to Education.
SB 332 - (Mitchell) Spruce Pine officals pay. Received from Senate; sent to Local Government.

SB 338 - (Catawba) Hickory charter changes. Received from Senate; sent to Local Government.
SB 342 - (Madison) Property tax valuation. Received from Senate; sent to Local Government.
SB 352 - (Montgomery) Mt. Gilead comm'r pay. Received from Senate; sent to Salaries and Fees.
SB 372 - (Union) Coronor compensation. Received from Senate; sent to Counties, Cities and Towns.
SB 373 - (Union) Commissioners salaries. Received from Senate; sent to Counties, Cities and Towns.
SB 376 - (Orange) Carrboro corporate limits. Received from Senate; sent to Counties Cities and Towns.
SB 377 - (Orange) Chapel Hill town limits. Received from Senate; sent to Counties, Cities and Towns.
HB 137 - (Cabarrus) Medical examiner. Received for concurrence in Senate amendment; concurred.
HB 608 - (New Hanover) Home tax rule. Passed.
HB 703 - (Gaston) Spencer Mt. Corporate limits. Passed third reading.
HB 722 - (Rowan) Watershed improvement tax. Passed third reading.
HB 727 - (Columbus) Whiteville charter revision. Passed third reading.
HB 741 - (Avery) Commissioners meeting dates. Amended to provide that county board may hold its regular meetings each month on such day or date as fixed by resolution, if notice of such date, if other than first Monday of each month, be given by posting at courthouse door and publication not less than seven days prior to date. (Originally, provided board may hold regular meetings each month on date it determined without requirement of notice. General act presently covering counties provides for such meetings on first Monday of each month.) Passed.
HB 770 - (Catawba) Tax prepayment discount. Passed.
HB 787 - (Cabarrus) Watershed condemnation. Passed third reading.
HB 788 - (Alexander) Watershed tax authority. Passed third reading.
HB 815 - (Transylvania, Jackson, Swain) County medical examiner. Passed.
HB 830 - (Richmond) Hamlet comm'r terms. Passed.
HB 839 - (Dare) Kitty Hawk incorporation. Passed third reading.
HB 846 - (Rockingham) Subdivision control authority. Passed.
HB 868 - (Cabarrus) Home tax rule. Passed.
HB 883 - (Caldwell, Alexander) Ad valorem inventory valuation. Passed.
HB 896 - (Durham) Durham condemnation. Passed third reading.

Next session of House: 12 noon, Tuesday, May 9, 1967.

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DAILY BULLETIN

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BULLETIN NO. 65

Tuesday, May 9, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 427 - (Joint Resolution) Introduced by Alford and others
"Commending and congratulating the City of Rocky Mount on the occasion of its centennial celebration." [As title indicates.] Passed three readings and sent to House.

SB 428 - Introduced by Allen
"To amend G.S. 20-64 of the motor vehicle laws relating to refund of fees for unused registration plates." [Rewrites subsection (f) of GS 20-64 (Transfer of registration plates to another vehicle) to provide that whenever owner of a registered vehicle transfers or assigns his interest to another, transferor may, by surrendering registration plate to Department of Motor Vehicles, secure a refund of unexpired portion of such plate on a monthly basis beginning first day of month following surrender of plate, if annual license fee for surrendered plate is $60 or more. (Now, when owner transfers or assigns his interest to another who licenses such vehicle in State in his name for same license year, transferor may by surrendering plate and registration certificate to Department secure refund beginning first day of month following transfer of interest.)] To Finance.

SB 429 - Introduced by MacLean
"To permit the State Board of Education to contract directly with local county and city boards of education for operation of the extension units of the community college system." [Identical with HB 951 digested in the House section of todays Bulletin.] To Education.

SB 430 - Introduced by Wood and Henley
"To provide a system or procedure for the election of the Board of Trustees of certain institutions of higher learning of the State of North Carolina." [Provides for one Board of Trustees for management of present 4-campus UNC scheme and such units as may be added, with responsibilities of trustees revised. Creates executive committee from members of decentralized board of trustees vested with powers and duties presently residing in board of trustees as per GS Ch. 116, Art. 1 and GS 116-46. Commencing with 1969 legislative session, House and Senate university trustee committees to meet in joint session for purpose of determining trustees of each university unit on basis of university census held at beginning of fall 1967 semesters in accord with following formula: total number of students of each of the institutions divided by total enrollment at each institution (apparently intended, total university-wide enrollment); resulting quotient gives proportion of total number of university trustees assigned to management of respective university units. Quotient applied

for trustee distribution then divided by number of university units to determine number of members of each group of trustees to serve on whole trustee board executive committee. Provides than when number of trustees for each unit has been determined and assigned they shall elect chairman (ex officio member of executive committee representing unit), secretary and other necessary officers; trustees for respective units to determine own procedures. Trustees for each unit to hold at least three regular meetings annually and to: advise and consult with unit executive officers; visit unit as necessary; report to executive committee as necessary and required; and generally assess unit developments needs and inform executive committee unit. Executive committee: empowered to appoint, with advice of unit trustees, respective chancellors and such professors, tutors and other officers necessary subject to removal as provided after notice and hearing for misbehavior, inability, neglect, and conviction of crime involving moral turpitude; to be responsible for management of all affairs of each institution and to that end empowered to make all necessary rules and regulations; to be responsible for handling and expenditure of all monies belonging to, or appropriated to, each unit; to provide for necessary capital improvements and maintenance; to govern student and faculty standards of conduct. Vacancies in unit trustees and executive committee filled by appointment by remaining members of respective group until next General Assembly; trustee or executive committee member absent without just cause from two successive meetings of respective group causes position to be deemed vacant; trustees' limited to two sucessive terms and not eligible for reappointment until two year lapse after second term.] To University Trustees.

SB 431 - Introduced by Griffin

"To amend Chapter 163 of the General Statutes of North Carolina relating to time of elections." [Deletes from GS 163-179 provision that hours of 6:30 a.m. to 6:30 p.m., during which polls shall be open in all primary and general elections in State, including local and municipal elections, shall be "Eastern Standard Time."] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION
PUBLIC BILLS

SB 69 - Congress Dist. Mills - Griffin. Reported favorably as to committee substitute. Substitute adopted rewriting GS 163-103 (established US Congressional districts) to redistrict for purpose of nominating and electing NC Representatives to US Congress in 1968 and every two years thereafter. Provides for one Representative from each of 11 districts as follows:

District 1: Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Lenoir, Martin, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington.
District 2: Edgecombe, Franklin, Granville, Greene, Halifax, Nash, Northampton, Person, Vance, Warren, Wilson.
District 3: Carteret, Duplin, Harnett, Johnston, Onslow, Pender, Sampson, Wayne.
District 4: Chatham, Durham, Orange, Randolph, Wake.
District 5: Alleghany, Ashe, Davidson, Davie, Forsyth, Stokes, Surry, Yadkin.
District 6: Alamance, Caswell, Guilford, Rockingham.
District 7: Bladen, Brunswick, Columbus, Cumberland, New Hanover, Robeson.
District 8: Anson, Cabarrus, Hoke, Lee, Montgomery, Moore, Richmond, Rowan, Scotland, Stanly, Union.
District 9: Gaston, Lincoln, Mecklenburg.

District 10: Alexander, Avery, Burke, Caldwell, Catawba, Cleveland, Iredell, Mitchell, Watauga, Wilkes.
District 11: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Polk, Rutherford, Swain, Transylvania, Yancey.
Present law (GS 163-103 as amended in 1966) to remain in force until Jan. 1969 to govern filling of any vacancy occurring in term of office which ends in Jan. 1969.

SB 223 - Duct heating licensing. Reported favorably as amended.
SB 302 - Cemetary desecration. Reported favorably as amended.
SB 381 - Gas users tax rebate. Passed second and third readings.
SB 415 - City boundary fishing. Reported favorably.
SR 427 - (Joint Resolution) Congratulating Rocky Mount. Passed second and third readings.
SB 431 - Election time. Passed second and third readings.

HB 45 - Personalized license plate, (House committee substitute 3/29), as amended in House 3/30 and in Senate 4/12. Recalled from House.
HB 53 - Cross burning penalty, as amended in Senate 5/5. Passed third reading.
HB 149 - Secret society disguises. Passed third reading.
HB 423 - Water heater labels. Reported favorably as to committee substitute. Substitute adopted making technical change.
HB 446 - Const. change: legislator pay. Passed second and third readings.
HB 465 - 7% interest rate, (House committee substitute 5/1). Received from House; sent to Judiciary 2.
HB 496 - Officials subpoena information. Received from House; sent to Judiciary 2.
HB 532 - Hospital district bonds, as amended in House 5/8. Received from House; sent to Finance.
HB 539 - Tax foreclosure surplus, as amended in House 5/8. Received from House; sent to Finance.
HB 565 - Boiler inspector fees, as amended in House 5/5. Received from House; sent to Judiciary 2.
HB 656 - Tax penalty combat exemption. Received from House; sent to Finance.
HB 673 - County orthopedic funds. Received from House; sent to Public Health.
HB 686 - Validating spouse contracts. Received from House; sent to Judiciary 2.
HB 922 - Guilford 200-yr. commission. Received from House; sent to Counties, Cities and Towns.

LOCAL BILLS

SB 349 - (Edgecombe) Tarboro charter revision, as amended in Senate 5/8. Postponed to 5/10.
SB 364 - (Onslow) Validating tax assessments. Passed third reading.
SB 367 - (Johnston) Four Oaks annexation. Passed third reading.
SB 373 - (Union) Commissioners salaries. Passed 5/5.

HB 608 - (New Hanover) Home tax rule. Received from House; sent to Counties, Cities and Towns.
HB 703 - (Gaston) Spencer Mt. corporate limits. Received from House; sent to Counties, Cities and Towns.
HB 722 - (Rowan) Watershed improvement tax. Received from House; sent to Counties, Cities and Towns.
HB 727 - (Columbus) Whiteville charter revision. Received from House; sent to Counties, Cities and Towns.
HB 741 - (Avery) Commissioners meeting dates. Received from House; sent to Counties, Cities and Towns.
HB 770 - (Catawba) Tax prepayment discount. Received from House; sent to Counties, Cities and Towns.
HB 787 - (Cabarrus) Watershed condemnation. Received from House; sent to Local Government.

HB 788 - (Alexander) Watershed tax authority. Received from House; sent to Judiciary 2.
HB 815 - (Transylvania, Jackson, Swain) County medical examiner. Received from House; sent to Local Government.
HB 830 - (Richmond) Hamlet comm'r terms. Received from House; sent to Counties, Cities and Towns.
HB 839 - (Dare) Kitty Hawk incorporation. Received from House; sent to Counties, Cities and Towns.
HB 846 - (Rockingham) Subdivision control authority. Received from House; sent to Counties, Cities and Towns.
HB 868 - (Cabarrus) Home tax rule. Received from House; sent to Local Government.
HB 883 - (Caldwell, Alexander) Ad valorem inventory valuation. Received from House; sent to Counties, Cities and Towns.
HB 896 - (Durham) Durham condemnation. Received from House; sent to Judiciary 2.

Next session of Senate: 12 noon, Wednesday, May 10, 1967.

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BULLETIN NO. 65
Tuesday, May 9, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 951 - Introduced by McMillan of Robeson and Johnson of Duplin
"To permit the State Board of Education to contract directly with local county and city boards of education for operation of the extension units of the community college system." [Adds to GS 115A-5 (regarding administration of community colleges) authority for State Board of Education to enter into agreements with county and city boards of education, upon approval by Governor and Advisory Budget Commission, for establishment and operation of extension units of community college system and to provide for financial support for operation and equipment of extension units as provided for other institutions covered by Ch. 115A and subject to available funds. Identical with SB 429.] To Education.

HB 953 - Introduced by Bryan
"To amend Chapter 146 of the General Statutes to provide a means to regulate dredging and filling of marshlands and tidelands." [Adds new GS 146-6.1 to require registration with Dep't of Water Resources by owners, lessees or possessors of power-operated earth moving equipment (including dredges, draglines, dozers, graders and trucks) operated in or on State-owned tidelands, beaches, marshes or navigable waters, and of power-operated equipment used in projects of hauling and placing materials below mean high tide. Provides for assignment of numbers to registered machines; annual renewal of registration; $3 original and renewal fees,to be applied to cost of administration; and written report of changes of ownership to Dep't. Requires permit from Dep't (and when required, from Army Corps of Engineers) before beginning an earth moving project in State-owned waters, beaches, tidelands, or marshlands; applications for permits to be circulated to interested State natural resource agencies; no permit to be issued for work detrimental to best usage of natural resources. Act not to prevent disaster emergency equipment use, nor to apply to US or State-owned equipment. Declares violations to be misdemeanors. Identical with SB 400.] To Judiciary 2.

HB 954 - Introduced by Mullinax
"Relating to fraudulent contracts for the purpose of causing loans to be made in reliance thereof." [Prohibits knowingly entering into or being party to a writing purporting to be contract for sale, improvement or purchase of real estate which sets out agreed price and other conditions of contract at more than that agreed upon with intent, or effect of causing another to make a loan or become surety on an obligation partly or wholly in reliance thereon; requisite intent presumed from knowing execution of such writing; parties may state without violation of act that consideration is "one dollar and other valuable considerations", or similar language, and that good faith adjustment of provisions of contract by its parties which does not materially affect security of secured party is not violation but burden of proof of good faith is on contracting parties. Violation to be misdemeanor punishable by fine and imprisonment in discretion of judge; both a corporation and its officers who execute such contract may incur full criminal punishment, and violation gives rise to civil action for damages against any or all parties to contract with double damages.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 952 - (Jones) Introduced by Elliott and Horton
"Concerning the exercise of the power of eminent domain in connection with small watershed programs in the County of Jones." [Authorizes watershed improvement districts in Jones County, and the County for purposes of its watershed improvement program, to acquire by condemnation any interest in land (as defined) needed in carrying out watershed improvement program; procedure for condemnation to be as provided in GS Ch. 40, Art. 2. Powers may be exercised only after State Soil and Water Conservation Committee finds that land is to be acquired for proper district (or county) purpose; findings to be certified to applicant, State Board of Water Resources and clerk of superior court of any county wherein any part of the district lies. Interests so acquired may be used as trustees (or county comm'rs) deem best, and may be sold, leased or rented with approval of State Committee.] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 163 - County welfare fund transfers, as amended in Senate 4/28. Reported favorably.
SB 174 - Revenue bond sales. Received from House; sent to Finance.
SB 381 - Gas users tax rebate. Received from Senate; sent to Finance.
SB 393 - Warehouse act produce levy. Received from Senate; sent to Agriculture.
SR 427 - (Joint Resolution) Congratulating Rocky Mount. Received from Senate; passed second and third readings.
SB 431 - Election time. Received from Senate; sent to Elections and Election Laws.

HB 11 - Voting age amendment. Amendment adopted to specify that no person below 21 years of age shall be eligible to office. Passed second reading.
HB 45 - Personalized license plate (House committee substitute 3/29), as amended in House 3/30 and in Senate 4/12. Request received for return to Senate; placed on calendar for 5/10.
HB 181 - Voting age amendment 2. Postponed indefinitely.
HB 609 - Interfamilial actions in State. Reported favorably.
HB 618 - Domestic relations warrants. Reported favorably.
HB 682 - Wrongful death damages. Reported favorably as amended.
HB 923 - Veterinarians registration fee. Reported favorably.
HB 926 - Realty license revocation. Reported favorably.
HB 935 - Dependent child definition. Reported favorably.
HB 950 - Sanitary district regulations. Reported favorably.

LOCAL BILLS

SB 319 - (Union) Watershed tax increase. Passed third reading.
SB 350 - (Edgecombe) Tarboro elections. Received from Senate; sent to Elections and Election Laws.
SB 365 - (Onslow) Validates school land transfer. Received from Senate; sent to Counties, Cities and Towns.
SB 369 - (Stanly) Surveyor registration. Received from Senate; sent to Local Government.
SB 370 - (Union) Monroe stadium lease. Received from Senate; sent to Counties, Cities and Towns.
SB 375 - (Swain) Bd. of comm'rs powers. Received from Senate; sent to Local Government.
SB 397 - (Union) County employees retirement. Received from Senate; sent to Counties, Cities and Towns.

HB 511 - (Craven) Vanceboro property tax, as amended in House 5/5, passed third reading.
HB 737 - (Buncombe) Montreat incorporation. Passed third reading.
HB 764 - (Columbus) Municipal ABC vote. Postponed to 5/10.
HB 773 - (Carteret) Regulation of noise. Reported favorably as amended.

Unnumbered House Resolutions:

HB [B] - Introduced by Beatty and others
"Challenging the Senate to a match of their poor skills with the superior skills of the House in softball." [As title indicates.] Passed.

BILLS RATIFIED

SB 104 - Abortion justification (Senate committee substitute 3/30), as amended in Senate 4/4 and 4/5 and in House 5/5. [Ch. 367]
SB 220 - (Cleveland) Kings Mt'n officials salaries. [Ch. 368]
SB 248 - (Robeson) Confirms drainage district. [Ch. 332]
SB 249 - (Robeson) Aiding county poor. [Ch. 333]
SB 262 - School damage rewards. [Ch. 369]
SB 273 - (Union) Monroe salaries. [Ch. 334]
SB 274 - (Union) Monroe ambulance services. [Ch. 370]
SB 283 - (McDowell) Officials' pay. [Ch. 371]
SB 284 - (McDowell) Commissioners pay. [Ch. 372]
SB 291 - (Wayne) Goldsboro aldermen pay. [Ch. 335]
SB 299 - (Onslow) Property tax refunds. [Ch. 336]
SB 300 - (Onslow) Beer license collections. [Ch. 373]
SB 301 - (Catawba) Hickory school board deeds. [Ch. 374]
SB 306 - (Guilford) High Point council pay. [Ch. 337]
SB 312 - (Stanly) Vocational workshop funds. [Ch. 338]
SB 315 - (Polk) Ambulance aid. [Ch. 375]
SB 316 - (Polk) Columbus land sale. [Ch. 376]
SB 317 - (Polk) Commissioners' salaries. [Ch. 377]
SB 318 - (Polk) Deeds register tax collecting. [Ch. 378]
SB 322 - (Carteret, Craven, Pamlico) Trash removal regulation. [Ch. 339]
SB 323 - (Carteret, Craven, Pamlico) Abandoning domestic animals. [Ch. 340]
SB 325 - (Henderson) Hendersonville ABC Board. [Ch. 341]

HB 51 - Damaging occupied property. [Ch. 342]
HB 137 - (Cabarrus) Medical examiner. [Ch. 379]
HB 159 - Ambulance services (House committee substitute 4/11), as amended in House 4/18. [Ch. 343]
HB 220 - (Rutherford) Commissioners' compensation. [Ch. 344]
HB 221 - (Rutherford) Officials' salaries. [Ch. 345]
HB 273 - (Edgecombe, Moore, Cleveland) Abandoning animals, as amended in House 3/22. [Ch. 346]
HB 281 - (Person) Closing-out sales. [Ch. 347]
HB 381 - (Columbus) Board education pay. [Ch. 348]
HB 476 - (Hyde) Officials' compensation. [Ch. 349]
HB 482 - (Catawba) Highways, no shooting. [Ch. 350]
HB 495 - (Franklin) Industrial Comm'n per diem. [Ch. 351]
HB 530 - (Mecklenburg) Pineville water and sewer. [Ch. 352]
HB 569 - (Harnett) Lillington officials pay. [Ch. 353]
HB 575 - (Moore, Lee) Cameron fire district. [Ch. 354]
HB 579 - (Avery, Mitchell, Watauga) Shrub-napping extended. [Ch. 355]
HB 598 - (Johnston) Princeton corporate limits. [Ch. 356]
HB 599 - (Johnston) Smithfield, Selma zoning. [Ch. 357]

HB 602 - (Johnston) CSC fund transfer. [Ch. 380]
HB 603 - (Johnston) Jail fees. [Ch. 381]
HB 627 - (Forsyth) Joint purchasing. [Ch. 382]
HB 628 - (Forsyth) Airport commission. [Ch. 383]
HB 629 - (Forsyth) Watershed improvement programs. [Ch. 358]
HB 630 - (Forsyth) Water & sewer assessments. [Ch. 359]
HB 638 - (Greene) Sheriff, tax collector comp. [Ch. 360]
HB 643 - (Dare) Mosquito control. [Ch. 361]
HB 663 - (Alamance) Burlington salary limit. [Ch. 362]
HB 669 - (Guilford) Bail bondsmen. [Ch. 384]
HB 679 - (Carteret) Beaufort historic buildings. [Ch. 385]
HB 680 - (Carteret) Beaufort town seal. [Ch. 386]
HB 685 - (Pender) Topsail tax rate. [Ch. 363]
HB 689 - (Burke) Morganton charter changes. [Ch. 364]
HB 791 - (Chatham) Pittsboro ABC stores. [Ch. 365]
HB 849 - (Chatham) Siler City ABC elections. [Ch. 366]
HB 853 - (Lee) Temporary county offices. [Ch. 387]
HB 892 - (Cumberland) Exempt US property tax. [Ch. 388]
HB 895 - (Wilson) Abandoned animals. [Ch. 389]

Next session of House: 12 noon, Wednesday, May 10, 1967.

#

DETAILED DIGEST OF BILL TO MAKE "TECHNICAL CHANGES" IN THE REVENUE ACT
(Previous brief digest in Bulletin No. 37, p. 291)

SB 183 - Introduced by Scott
HB 379 - Introduced by Eagles by request

"To make technical revisions to Chapters 105, 119, 18 and 53A of the General Statutes pertaining to the Revenue Laws of North Carolina." [Makes following changes in Inheritance Tax Article: (1) Amends GS 105-2(5) to redefine general power of appointment to adopt substantially definition used in the I.R.C. (2) Amends GS 105-19 to make applicable to "any transfer" (now, any "legacy or devise").

Makes following changes in Franchise Tax Article: (1) Amends GS 105-115 to add provision allowing railroad companies credit against franchise tax and intangibles tax paid on bank deposits (technical change only). (2) Amends GS 105-122(a) to make applicable to all corporations doing business in State (now, corporations domicled in State); to fix due date for franchise tax returns as September 30 (now July 31). (3) Rewrites GS 105-123 to require initial franchise tax return to be filed with Commissioner of Revenue within sixty days of incorporation, domestication, or commencement of business in State, and to fix initial franchise tax at ten dollars. Amends GS 105-125 to exempt enumerated organizations from all taxes levied by Franchise Tax Article (now, taxes levied by GS 105-122, -123) and to add "charitable" to list of types of organizations exempt.

Divides Income Tax Article into three separate divisions: Division I. Corporation Income Tax, GS 105-130.1 thru -130.21; Division II. Individual Income Tax, GS 105-133 thru -159; Division III. Income Tax--estates, trusts and beneficaries, GS 105-160 thru -163. Makes following changes in corporation income tax laws: (1) Defines "doing business" as act of engaging in any activity, operation or enterprise for purpose of financial profit or gain and/or ownership, renting or leasing of property for such pruposes. (2) Defines net income for corporation tax purposes as "taxable income" as defined in IRC on effective date of Act with following adjustments: Additions -- income and excess profits tax, excessive interest payments, excessive contributions, interest earned on obligations of other State less allowable amortization, gains which have been offset by loss carry-over, net operating loss, special deductions allowed under §§ 241-247 of IRC. Deductions: Interest on US obligations to extent included in federal taxable income, interest income from parent subsidiary or affiliated corporations, deductible dividends, net economic losses carried forward, allowable contributions, amortization of sewage and waste treatment plants, depreciation of emergency facilities, loss on sale of assets not allowed under Section 1211(a) of IRC. (3) Defines various terms used in allocation and apportionment provisions. (4) Declares interest payments between parent and subsidiary corporations in excess of 6% to be excessive,carries forward the consolidated return requirement of present GS 105-143 making technical and clarifying changes. (5) Adds corporations organized for literary purposes to list of nonprofit organizations exempt from income tax. (6) Provides mutual associations organized under GS 54-111 thru -158 may not deduct dividends on capital stock in arriving at net income taxable by NC (clarifying). (7) Provides that real estate investment trust and regulated investment corporations may not deduct distributions to nonresident shareholders in computing North Carolina income tax. (8) Adds provisions authorizing Commissioner of Revenue to adopt IRS rules, regulations and guidelines relative to accounting procedures. (9) Adds provision that corporations changing tax year when not required to obtain approval of IRS may notify Commissioner of Revenue of change at time of filing short period return (now, prior to due date of short period return). (10) Rewrites and makes technical changes in oath required on corporate income tax return.

Makes following changes in individual income tax laws: (1) Defines educational institution as one with regular faculty, curriculum, and regularly organized body of students in attendance at location of its educational activities.

(2) Defines income year and taxable year as period for which return is made. (3) Provides reisent of State remains resident until he establishes domicle (formerly residence) elsewhere and abandons NC domicile (clarifying only). (4) Specifies gross income shall include (but not limited to) items enumerated (adopts substantially IRC provisions). (5) Rewrites GS 105-141(b)(10) to exempt scholarships to same extent as under § 117, IRC. (6) Rewrites GS 105-141.2 to make alimony and support payments includable in gross income of recipient to same extent as under IRC. (7) Amends GS 105-142.1 to provide income in respect of decedent to have same character in hands of estate or distributee as it would have had in hands of decedent. (8) Amends GS 105-147 to: (a) Add as business deduction expenses in connection with determining, collecting or obtaining tax refund. (b) Allow deduction of moving expenses to same extent as § 217, IRC. (c) Allow deduction of theft losses in year of discovery (now, year loss sustained). (d) Rewrites provisions relating to depreciation and depletion allowance to conform with IRC. (e) Provides partnership may not deduct contributions in determining net income; contributions deductable by each partner according to income entitlements (clarifying only). (9) Amends GS 105-149(a)(5) to recongnize multiple support agreements similar to IRC provision. (10) Rewrites and makes technical changes in oath prescribed by GS 105-155 for individual income tax returns.

Rewrites income tax laws relating to trusts, estates, and beneficiaries and makes following changes: (1) Defines various terms; (2) declares no amount allowable as deduction for inheritance tax purposes shall be deducted for estate income tax purposes unless specified waiver filed. (3) Allows deduction for amounts permanently set aside under terms of governing instrument for religious, charitable, scientific, literary or educational purposes or for prevention of cruelty to children or animals. Deduction denied trusts engaging in specified transactions. (4) Fixes personal exemptions for estates at $1,000. Trust required to distribute all income currently--$500, and all other trusts--$200. (5) Allows standard deduction for trusts and estates. (6) Specifies requirements for trusts and estates to file income tax returns. (7) Exempts trusts established for enumerated purposes. (8) Gives credit for taxes paid other States and Countries on trust income earned in NC on certain conditions and gives formula for determination of the credit. (9) Spells out detailed provisions for beneficiaries' inclusion of trust and estate income for tax purposes. Repeals GS 105-163.19, -196.20, and -163.21 (specifying punishment for violation of income tax withholding article) and has effect of making withholding tax violations punishable under GS 105-236.

Makes following changes in Sales and Use Tax Article: (1) Adds cash discounts to enumerated list of items which may not be deducted in arriving at cost price. (2) Adds maintaining property in State for lease or rental to list of acts which constitute engaging in business in the State. (3) Provides credit against use tax for sales and use tax paid to any state on same item. (4) Makes clarifying and technical changes in GS 105-164.14(b) (refund provision). (5) Amends GS 105-164.16 and -164.17 to allow quarterly filing on 15th day of Jan., Apr., July, and Oct. of sales and use tax returns by taxpayers whose monthly tax due is consistently under $5, upon application to Commissioner of Revenue and makes conforming changes in other sections. Gift Tax Laws-- Amends GS 105-188.1 to redefine general power of appointment adopting substantially same definition used in IRC. Bank Excise Tax--Amends GS 105-228.16 to make references conform to new section numbers of Income Tax Article. Makes following changes in GS 105-236 relating to penalties: (1) Adds 25% penalty if tax liability is understated at least twenty-five per cent as result of understatement of gross sales, receipts or purchases, overstatement of exemptions or deductions, using lower rate of tax, or any combination thereof, unless fraud penalty assessed. (2) Provides prosecution for evading and defeating GS Ch. 105 taxes may be brought at any time within five years of commission of crime. (3) Makes subparagraph (7) applicable to tax violations of GS Ch. 18. Chapter 18--Makes clarifying amendment to GS 18-73 relating to retail license for sale of wines. Business Development Corporations--

Amends GS 53A-15(e) to make references conform to new section numbers in income tax article. Gasoline and Oil Inspection Fees--Adds new GS 119-16.2 to require licensing of persons not otherwise required to be licensed under GS 105-433 who possess kerosene on which inspection fee has not been paid. Fixes procedure for acquiring license and requires bond not over $20,000. Violation is misdemeanor punishable by fine of $100 to $5,000 and/or imprisonment not over two years. Amends GS 119-18 to require monthly reports and payment of inspection fees by persons so licensed. Amends GS 119-19 to make cancellation provisions applicable to licenses so issued. Intangibles Tax--Makes references conform to new section numbers in income tax article. Special Fuels Tax--Amends GS 105-449.20 to declare user-seller selling more special fuel than reported to Commissioner of Revenue as sold constitutes prima facie evidence that excess fuel was acquired tax free. Amends GS 105-449.21 to clarify that user-seller is required to pay any tax due at time monthly reports filed. Gasoline Tax--Amends GS 105-449.40 to require gasoline tax bond for certain motor carriers of $500 to $10,000 (now $10,000).

Act not to affect tax liability arising prior to effective date. Changes in franchise and intangibles taxes effective July 1, 1968; changes in income tax, income tax withholding, corporate income tax declarations, and bank excise tax laws effective January 1, 1967; all other changes effective July 1, 1967.]
To Finance.

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BULLETIN NO. 66

Wednesday, May 10, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 432 - (Joint Resolution) Introduced by Allsbrook and others
"To express deep appreciation and to pay highest tribute to those North Carolinians who have given their lives in Viet Nam." [As title indicates.] Passed three readings; sent to House.

SB 433 - Introduced by MacLean and Matheson
"To provide for research on production and processing of fruit and vegetables." Appropriates from General Fund for purposes indicated by title to North Carolina Agricultural Experiment Station $208,000 and $193,000 for fiscal years ending June 30, 1968 and June 30, 1969 (and ensuing years), respectively. Amounts of $92,800 for professional personnel in each fiscal year, and of $115,200 (1967-8) and $100,200 (1968-9) for sub-professional help, operations, and maintenance shall be assigned and made available to North Carolina Experiment Station. All expenditures from funds appropriated by action and for purposes designated shall be accounted for and reported to fiscal and financial system of agency to whom appropriation is made.] To Agriculture.

SB 434 - Introduced by MacLean
"Appropriating funds to the Department of Agriculture to indemnify farmers for the destruction of seed sweet potatoes in the sweet potato weevil eradication program." [Appropriates from General Fund to NC Department of Agriculture $20,000 for purpose indicated in title, with payments not to exceed $2 per bushel to be made to NC farmers for seed potatoes destroyed by them under sweet potato weevil eradication program, when destruction of such seed potatoes has been verified by NC Commissioner of Agriculture. Funds appropriated but not used before Jan. 1, 1968 to be returned to General Fund. Identical with HB 965.] To Agriculture.

SB 436 - Introduced by Henley
"To amend G.S. 130-177 so as to increase the fees charged in administering the law relating to the manufacture of bedding." [Amends GS 130-177 to raise from $10 to $12 the fee for 500 bedding stamps provided under Art. 16 of Ch. 130 and the fee per 500 pieces of bedding for a stamp exemption permit.] To Public Health.

SB 437 - Introduced by Gentry
"To appropriate funds to North Carolina State University at Raleigh, Agriculture Experiment Station, for capital improvements, as requested in capital improvements Volume 3, page 190, item 3."[Appropriates from General Fund $3,100,000

to NC State University, Agriculture Experiment Station, for animal research center building, utilities, access and air conditioning ($2,430,000) and for equipment ($670,000), to be used in 1968-69.] To Appropriations.

SB 438 - Introduced by Gentry

"To appropriate funds to North Carolina State University at Raleigh, Agricultural Experiment Station, for expansion of beef cattle feeding research, as requested in 'B' Budget, Volume 2, page 292, item 4." [Appropriates from General Fund $52,000 for each year of 1967-69 biennium for purpose indicated in title, with $16,536 annually for salaries and temporary wages, $13,964 for supplies and $20,000 for equipment.] To Agriculture.

SB 439 - Introduced by Gentry

"To appropriate funds to North Carolina State University at Raleigh for student training in beef production, as requested in 'B' Budget, Volume 2, page 138, section 104." [Appropriates from General Fund for purpose indicated in title, $35,000 for fiscal year 1967-68 and $5,000 for 1968-69, with $3,000 annually for salaries, $2,000 for supplies, and $30,000 first year for equipment.] To Agriculture.

SB 440 - Introduced by Ellis

"To amend G.S. 66-67 relating to the disposition by launderies and dry cleaning establishments of unclaimed clothing." [Amends cited section (disposition by launderies and dry cleaner of unclaimed items) to permit disposition of such items after 60 days (now, four months) and that 8 - 1/2"X 11" (now, 12" X 18") notice of the period of the cleaning establishments' responsibility. Provides that no such disposition of such items may be made within two years if worth more than $150 (now, $75), and then only 30 days after notice to owner by registered or certified mail (now, only registered mail). Effective July 1, 1967.] To Judiciary 2.

SB 441 - Introduced by Ellis by request

"Amending the Urban Redevelopment Law so as to authorize the redevelopment of institutional renewal areas, to clarify and improve condemnation procedures, to eliminate the requirement that municipalities pay all attorneys' fees in such proceedings, and to authorize payment of compensation of redevelopment commission members." [Amends various provisions of the Urban Redevelopment Law, as follows: GS 160-455.2. Adds section declaring State policy of authorizing urban redevelopment commissions to undertake redevelopment in institutional renewal areas for support of public and non-profit educational institutions and hospitals (hereinafter referred to as NPEIH), if requisite findings made. GS 160-456. Adds definition of "institutional renewal area" as an area adjacent to an NPEIH, as to which municipal governing body finds: (1) at least 20% of buildings within area, because of deterioration, inadequate sanitation, hazard, overcrowding etc., have effect of substantially impairing community growth or surrounding development, or are detrimental to public health, safety, morals or welfare; and (2) redevelopment project would also promote public welfare and proper development by making land in the area available for disposition to NPEIH for redevelopment and/or providing cohesive neighborhood environment through redevelopment, compatible with NPEIH functions or needs. Makes conforming changes in definitions of "redevelopment area" in subdiv. (16) and of "redevelopment projects" in subdiv. (19). GS 160-464(e)(4). Makes technical change eliminating superfluous cross reference. GS 160-459. Provides for members of redevelopment comm'n to receive such compensation (in addition to expenses) as municipal governing body provides (now, no compensation other than expenses).

GS 160-456(2), (10), (21). Repeals proviso that if eminent domain power exercised under Act, respondents are entitled to be represented by own counsel and to have reasonable attorney fees (as found by court) taxed to petitioners. GS 160-465 (Eminent domain). Adds provisions that: (1) on written request of any party in petition or answer, clerk of superior court shall order and preside

over formal hearing before comm'rs of appraisal at their first meeting, when any party may present value evidence; (2) payment into court of appraised compensation shall not prejudice commission's appeal rights on compensation issue; and (3) court may reduce interest payable on award because of rental or other income received by owner from property between date of taking and vesting of title in commission.] To Judiciary 2.

SB 442 - Introduced by Ellis by request

"To validate proceedings of urban redevelopment commissions between January 1, 1965, and January 1, 1967." [Amends GS 160-474.1 to validate actions of redevelopment commissions, incorporated cities and towns, governing bodies, and planning boards and comm'ns under Urban Redevelopment Law prior to January 1, 1967 (now, prior to Jan. 1, 1965).] To Judiciary 2.

SB 443 - Introduced by Moore and others

"To amend G.S. 113-95 so as to increase the nonresident hunting license fees and to allocate funds derived from said increase for use in propogation, management, and control of migratory waterfowl." [Amends cited section by raising to $22 (now, $20) the fee for nonresident hunting license and to $17.75 (now, $15.75) the fee for a nonresident 6-day hunting license and by adding provision that $1 of each nonresident and nonresident 6-day hunting permit fee shall be used by Wildlife Resources Commission for purpose indicated in title and another $1 be contributed to proper agency or agencies in Canada for same purposes. Effective August 1, 1968] To Wildlife.

SB 444 - Introduced by Wood by request

"Appropriating state matching funds for the purchase of voting machines in the precincts of North Carolina." [Appropriates to State Board of Elections from General Fund $375,000 and $750,000 for fiscal years ending June 30, 1968 and 1969, respectively, to be expended by Board on equitable basis among various counties, taking into account numbers of precincts and voters in each, on matching basis to be made available to various county boards of elections. Authorizes Board to adopt regulations regarding purchase and use of voting machines in order to carry out provisions of act; Board may reserve portion of sums, to be used on matching basis with counties that have at least some voting machines for their repair or replacement; sums may be used for purchse of new voting machines or for purchase price of machines previously contracted for. Effective July 1, 1967.] To Appropriations.

SR 445 - (Senate Resolution) Introduced by Allsbrook and others

"Accepting the challenge of the House to a soft ball game." [As title indicates.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

SB 435 - (Robeson) Introduced by MacLean

"To provide an election or referendum for certain areas in Robeson County on the question of whether or not they shall be annexed to the Lumberton City Administrative Unit and be subject to the school taxes levied in the Lumberton City Administrative Unit if so annexed." [Designates two areas subject to election ("A" and "B" additions) and describes those additions by metes and bounds. Makes following provisions for election or referendum on question indicated in title: Robeson school board must, on presentation of petition signed by 25% of qualified voters residing in A or B additions, consider whether or not to petition county board of elections for election on whether additions shall be annexed to Lumberton City Administrative Unit and become part of it and its public school system. If such petition is decided on, Robeson County Commissioners shall hold, according to regulations of Art. 14, Ch. 115 (local school tax elections), particularly 115-122 (rules governing such elections) election or referendum in each of areas

to determine if one or both shall be annexed. Prescribes form of ballot. County commissioners authorized to have board of elections conduct such elections with expense to be paid by board of commissioners. Favorable vote by area shall result in annexation to and payment by residents of that area of school taxes imposed for use and benefit of Lumberton City Administrative Unit. Negative vote shall result in continuance of existing status. If board of education refuses to petition commissioners for election, then commissioners shall call election for purpose of presenting question to each of areas, with separate elections to be held in each area with same question presented and same determination of results. Election may be conducted by board of elections under same provisions as above. If either or both areas vote affirmatively on question, taxes to be equalized are those supplementally levied by City Administrative Unit as adopted in 1956 and those passed in 1963 by city voters for retirement of capital improvement program and others as may be imposed for use of Unit. If results of elections favor annexation, such taxes shall be levied and collected in same manner as the taxes for the public schools of Unit as administered by Lumberton Board of Education.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 69 - Congress Dist. Mills - Griffin (Senate committee substitute 5/9). Postponed to 5/16.

SB 134 - Industrial development bonds. Reported favorably as amended.

SB 223 - Duct heating licensing. Amendments adopted providing that obtaining of license as required by Act shall not of itself authorize practice of another profession or trade for which State qualification license is required; that Act become effective July 1, 1967 (originally, effective upon ratification); and that persons produce satisfactory evidence of qualifications upon application forms to be provided by State Board of Examiners of Plumbing and Heating Contractors and to be submitted to Board on or before one year after ratification of Act (originally, persons simply to produce satisfactory evidence as to their qualifications on or before one year after ratification of act). Tabled; vote by which tabled reconsidered; rereferred to Judiciary 1.

SB 245 - Mountain nursery funds. Reported favorably.

SB 260 - Washington statue. Reported favorably.

SR 268 - (Joint Resolution) Boat capacity marking. Reported favorably.

SB 302 - Cemetary desecration. Amendments adopted making clarifying changes and prohibiting any person from willfully committing any of acts set forth in Act (originally, any person, other than the owner thereof, prohibited from committing such acts). Passed second and third readings.

SB 357 - Self-liquidating projects (1). Reported favorably.

SB 358 - Self-liquidating projects (2). Reported favorably as amended.

SB 359 - Self-liquidating projects (3). Reported favorably.

SB 402 - Amends SB 181. Reported favorably.

SB 403 - Adoption residence requirement. Reported favorably.

SB 404 - Adoption consent. Reported favorably.

SB 405 - Welfare Department adoption. Reported favorably.

SB 407 - Charity solicitation reports. Reported favorably.

SB 415 - City boundary fishing. Passed second and third readings.

SR 432 - (Joint Resolution) Memorializing NC Vietnam dead. Passed three readings and sent to House.

SR 445 - (Senate Resolution) Softball retort. Passed three readings and sent to House.

HB 45 - Personalized license plate, (House committee substitute 3/29), as amended in House 3/30 and in Senate 4/12. Received from House. Votes by which amended and passed third reading reconsidered. Floor amendment adopted adding provision that Commissioner not issue personalized license plates pursuant to sec. 1 of act except upon written application therefor on form furnished by Commissioner in which applicant certifies that his operator's or chauffeur's license has not been revoked or suspended under Uniform Driver's License Act, within two years prior to date of application and that any such license plate issued pursuant to section be cancelled and recalled by Commissioner and application fee forfeited if Commissioner determines that false application was submitted.
HB 191 - Surplus fund investment. Passed second and third reading.
HB 364 - Non-commercial clamming. Reported favorably.
HB 423 - Water heater labels. Passed second and third readings.
HB 587 - Bang's disease. Reported favorably.
HB 654 - Ambulance not for-hire. Passed second and third readings.

LOCAL BILLS

SB 327 - (Polk) Columbus council election. Passed.
SB 336 - (Pitt) School board condemnation. Rereferred to Judiciary 1.
SB 337 - (Pitt) Number of commissioners. Passed.
SB 348 - (McDowell) Marion name, election changes. Passed.
SB 349 - (Edgecombe) Tarboro Charter revision, as amended in Senate 5/8. Amendment adopted making technical change. Passed third reading.

HB 511 - (Craven) Vanceboro property tax, as amended in House 5/5. Received from House; sent to Local Government.
HB 737 - (Buncombe) Montreat incorporation. Received from House; sent to Local Government.
HB 807 - (Alamance) Burlington voting hours. Passed.

BILLS RATIFIED

SB 319 - (Union) Watershed tax increase. [Ch. 390]
SR 427 - (Joint Resolution) Congratulating Rocky Mount. [R 46]
HB 446 - Const. change: legislator pay. [Ch. 391]

Next session of Senate: 12 noon, Thursday, May 11, 1967.

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BULLETIN NO. 66
Wednesday, May 10, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 955 - Introduced by Hamrick and Bailey
"To amend G.S. 20-52.1 to clarify and prescribe the manner in which dealers pass title to new vehicles to consumers." [Rewrites GS 20-52.1(c) to provide that in order to transfer title to new vehicle to consumer-purchaser, dealer must assign to transferee, under formal oath, manufacturers certificate of origin for vehicle. Assignment to include name and address of transferee; person delivering or accepting certificate of origin assigned in blank guilty of misdemeanor. Certificate of origin to be assigned at time of transfer except where a security interest is obtained in motor vehicle from transferee; transferor to deliver certificate to lienholder for prompt forwarding, together with transferee's application for title certificate and necessary fees, to Department of Motor Vehicles. (Section now provides that at time of transfer of vehicle, dealer shall give purchaser the manufacturer's certificate.)] To Judiciary 1.

HB 956 - Introduced by Hamrick and Bailey
"To amend G.S. 20-114(c) to promote uniformity of Notice to the Department of Motor Vehicles in judicial sales of motor vehicles." [Adds to cited subsection (relating to judicial sale of motor vehicles) provision that notice required to be given Department of Motor Vehicles be on a form approved by MV commissioner.] To Judiciary 1.

HB 957 - Introduced by Taylor and others
"To amend G.S. 20-96 relating to overloading to allow tolerance for vehicles hauling unprocessed forest products." [Amends cited section (related to motor vehicle overloading) to provide that penalties assessed against owners of vehicles hauling unprocessed forest products to be only for portion of overload in excess of 1,500 pounds above licensed weight limit. Effective July 1, 1967.] To Finance.

HB 958 - Introduced by Garren
"To delete the requirement that eastern standard time govern the hours at which polls are to be opened and closed in primaries and general elections." [Deletes from GS 163-179 provisions that hours of 6:30 a.m. to 6:30 p.m., during which polls shall be open in all primary and general elections in State, including local and municipal elections, shall be "Eastern Standard Time.] To Elections and Election Laws.

HB 959 - Introduced by Paschall
"To provide for the joint ownership of corporate stock and investment securities." [Adds GS 25-8-101 to provide that share of corporate stock or investment security may be owned by two or more persons as joint tenants with right of survivorship. Such joint tenancy shall: (1) exist when share or security indicates owned jointly or owned with right of survivorship, or "otherwise clearly indicates an intention" that upon death of any owner interest of decedent to pass to surviving owners; (2) be presumed to be in equal shares unless share or security indicates their respective interests; (3) be subject to transfer of interest by each joint tenant during lifetime, subject to his debts, and shall terminate joint tenancy with regard to interest so transferred; transferee of such interest, other than another joint tenant, shall hold it as tenant in common with remaining joint tenants; (4) be a part of personal estate of joint tenant and subject to claims of his creditors and governmental rights in manner of other personal property upon his death, but shall be distributed to surviving tenants. Act not to be exclusive

as to creation of joint ownership of shares of corporate stock or investment securities or limit right of parties to contract with regard thereto. Effective October 1, 1967.] To Judiciary 1.

HB 960 - Introduced by Clark of Union

"To regulate retail installment sales and services." [Adds new chapter to General Statutes (GS Ch. 25A) providing for regulation of retail installment sales and services to consumers. Provides for licensing and regulation of firms engaged in the business of sales finance, other than banks (as defined GS Ch. 53) or national banking association, by sections dealing specifically with: license provisions; regulation by Commissioner of Banks and examination of books and records; summoning of licensees for purposes of examination and effect of failure to appear; refusal to issue license, notice, hearing and appeal; violations and investigations thereof; grounds and procedure for license revocation and suspension. Provides for full disclosure of facts (GS 25A-9) to retail installment buyers of movable goods and services purchased primarily for personal, family or household purposes other than motor vehicles; disclosure to include thirteen specified items involved in payment computation. Provides for each agreement contemplated by act to contain prominent "notice to buyer" to include notice: . not to sign agreement unless all spaces provided for terms are filled in; that buyer entitled to copy of agreement at time of signing; that prepayment is option entitling buyer to some rebate of finance and insurance charges; of possible rights of redemption and/or resale; that seller's rights respecting repossession are limited; and information regarding buyers cancellation procedure. Prohibits retail installment sales agreements which contain various waivers, confessions, assignments, etc., which are normally thought to operate to buyers detriment. Establishes maximum finance charges and provides for computation thereof; specifies that no fee, expense or other charge whatsoever shall be made or contracted for. Total allowable finance charges not to exceed $10 per $100 per year for amounts up to $500; $8 per $100 per year on excess over $500. Provides for refund credit of finance charges, calculated by "sum of digits" method, in event of prepayment in full; deficiency judgment entered against buyer not to include finance or insurance charges allocable to installments due after repossession. Provides for cancellation of agreement by buyer for other than seller's breach in certain circumstances, and for rights in event of cancellation. Prohibits security interest contained in retail installment sale agreement which would: apply to goods other than those sold under agreement; apply to after-acquired collateral; apply to goods subject to prior retail installment sale agreement unless consolidated as act provides. Extension agreements, refinancing agreements, subsequent add-on purchases, and consolidated agreements are covered in manner complementing original agreement, provisions. Provision made for delinquency (late--over 15 days) charges if agreement provides, not to exceed 5% of installment or $5 whichever is less. Prohibits misleading advertising and requires that any advertisement containing statement of rates or finance charges be expressed in terms of "simple annual interest" computed as act provides. Prohibits any action of buyer from waiving protection of act and makes act applicable to any holder of retail installment sale agreement or right arising out of such agreement; provides for regulation of insurance related to retail installment sale agreement.

Revolving credit agreements subject to provisions of act except those (set out) which are inapplicable due to different nature of financing arrangement; provisions governing "notice to buyer" essentially same as for retail installment sale agreement (above). Establishes maximum finance charges not to exceed 1% per month on outstanding unpaid balance up to $1,000; 3/4% on outstanding unpaid balance in excess of $1,000 with rates computed monthly or other regular period; provides for furnishing buyer with statement of account at each billing showing essential elements of account. Provides that violation of specified sections (dealing particularly with charges and notice to buyer) bars recovery of any amount in excess of unpaid principal balance only, but allows repossession of goods and recovery

from buyer of amount equal to unpaid principal balance less proceeds of disposition of goods. Violation of any provision of Act a misdemeanor. Commissioner of Banks empowered to carry out Act and may make violation of rules and regulations made to that end punishable by fine up to $500 for any particular violation. Act applicable to contracts and transactions entered into on or after January 1, 1968.] To Judiciary 1.

HB 961 - Introduced by Clark of Union

"To regulate the retail installment sales of motor vehicles." [Adds new chapter to General Statutes (GS Ch. 25) providing for regulation of installment sale of motor vehicles used or bought primarily for personal, family or household transportation upon the highway. Provides for licensing and regulation of firms engaged in business of selling motor vehicles, other than banks (as defined in GS Ch. 53) or national banking associations, by sections dealing specifically with: (1) Provisions for annual licensing of such seller by Commissioner of Banks upon payment of fee for each location of at least $200 and compliance with application requirements set by act and regulations including right of Comm'r to examine records of applicants and licensees. Procedures and criteria set out for revocation or suspension of licenses by Comm'r and method of judicial review provided for denial, revocation or suspension of license. (2) Provisions for form and content of written retail installment contracts for motor vehicles which shall include notice of certain buyer rights, and make disclosures, including the following: cash sale price of motor vehicle, price and coverage of insurance included if any, amount of official fees, amount of finance charge, statement on delinquency charges if any, statement concerning repossession, total time price, and percentage that finance charge bears to principal balance, computed according to an annual finance charge formula set out by act. (3) Limitation on delinquency and collection charge of each installment in default at least 15 days to 5% of each installment or $5, whichever is less. (4) Limitation on finance charges, computed on principal balance, at not to exceed following annual rates: (a) for current model vehicle, $8 per $100, (b) for new cars other than those in (a) and used vehicle of not more than two model years prior to sale, $10 per $100, (c) all other vehicles, $12 per $100. Finance charge to be inclusive of all charges incident to investigating and making contract and for extension of credit and none other shall be lawful except delinquency and collection charge, deferment or refinancing, and official and insurance fees (and other fees set by section 25B-9) as set in act. (5) Prohibition of deceptive advertisement as to financing and requirement that any representation containing statement of rate of finance charge be expressed in terms of simple annual interest computed in accord with annual finance charge formula of act. (6) Provision for refund on finance charges in event of early payment. (7) Provision for charges for deferment or renewal fees. (8) Provision for seller to transfer credit contract to sales finance company without notice to buyer. (9) Provision that portions of any contracts which contain certain waivers (including waiver of terms of act), confessions, and assignments which are generally considered to operate to buyers detriment shall be unenforceable.

Violation of any provisions of act or comm'r's rules made a misdemeanor punishable by fine and/or imprisonment in discretion of court and violation of requirements as to contents of contract, rates of finance charges, and other specified parts of act shall bar recovery of any finance, delinquency or collection, or refinancing charge on contract involved. Act effective as to contracts entered into on or after January 1, 1968.] To Judiciary 1.

HB 962 - Introduced by Clark of Union

"To regulate certain credit transaction." [Adds new GS Ch. 25C providing as follows: Makes applicable to credit transactions in which: debt arises from money loan or rewriting or refinancing of loan, finance charge payable, principal balance begins at $25,000 or less, creditor is in business or makes practice of extending credit, and debtor is natural person; inapplicable to credit transactions

arising from motor vehicle sale subject to GS Ch. 25B (See HB 961 above), from transaction subject to GS Ch. 25A (see HB 960 above), and from transactions where debt secured by collateral consisting of accounts receivable, business equipment or inventory and collateral value equals substantial part of debt secured. Defines various terms to be used in application of act, including types of transactions, terms to be used in arriving at information required to be disclosed, and algebraic formula for determining annual finance charge formula. Requires creditors to furnish detailed information to debtors (e.g., base amount, insurance charges, amount of fees, other permitted charges, total principal balance, total finance charges, and percentage that finance charge bears to principal balance) in covered loan transactions including closed-end credit transactions and, revolving credit transactions. Prohibits creditors from making false, deceptive or misleading statements in advertising. Authorizes Commissioner of Banks to make rules to carry out provisions, and to set penalties for rules violations at amounts up to $500. Provides that failure of creditor to disclose required information bars recovery of any finance, delinquency, collection or refinancing charge; but does not bar recovery of amount equal to unpaid principal balance or right to realize upon security and recover difference between principal balance and amount realized. Makes violation misdemeanor punishable by fine, imprisonment, or both in court's discretion. Applicable to contracts and transactions entered into on and after January 1, 1968.] To Judiciary 1.

HB 963 - Introduced by Hutchins

"To prohibit any bank from charging in excess of $2.00 with respect to checks returned for nonpayment." [Prohibits any bank organized under NC laws to charge any fee or combination of fees in excess of $2 with respect to any single check returned unpaid due to insufficient funds or credit available in drawers account to cover check payment at time of presentation.] To Banks and Banking.

HB 965 - Introduced by McMillan of Robeson and others

"Appropriating funds to the Department of Agriculture to indemnify farmers for the destruction of seed sweet potatoes in the sweet potato weevil eradication program." [Identical with SB 434, digested in the Senate section of today's bulletin.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 964 - (Carteret) Introduced by Taylor

"To authorize the Town of Beaufort to acquire open space land by eminent domain." [Authorizes Beaufort to acquire by eminent domain the fee or any lesser interest, development right, easement, covenant or other contractual right, for real property within its zoning jurisdiction for purposes specified in Art. 14A, GS Ch. 160 (preservation of open spaces and areas). In exercising such power, town shall follow procedure of Art. 2, GS Ch. 40 (condemnation proceedings).] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 226 - Education loans. Reported favorably as amended.
SR 432 - (Joint Resolution) Memorializing NC Vietnam dead. Received from Senate; passed second and third readings.

HB 11 - Voting age amendment, as amended in House 5/9. Failed to pass third reading.
HB 53 - Cross burning penalty, as amended in Senate 5/5. Received for concurrence in Senate amendment; sent to Judiciary 1.

HB 118 - Clergymen's privilege. Amendments adopted making clarifying change and adding provision that privilege not to apply when waived in open court by communicant. Passed second reading; postponed to 5/15.

HB 149 - Secret society disguises, (Senate committee substitute 5/4). Received for concurrence in Senate committee substitute; sent to Judiciary 1.

HB 211 - Six month voter residence. Postponed to 5/16.

HB 298 - Industrial development bond. Reported favorably as amended. Placed on calendar for 5/11.

HB 529 - Judges to be attorneys. Postponed indefinitely.

HB 536 - Prohibit firemen striking. Reported unfavorably.

HB 545 - Perpetual care cemeteries. Reported favorably as to committee substitute. Committee substitute adopted making clarifying changes and following changes in original bill: adds provision that copy of Commissioner's decision on whether to grant burial association license to be sent to anyone filing written objection with Commissioner (original bill included notice also to one filing objection at hearing). Limits ability to file notice of appeal to applicant or other person affected by decision (original bill, applicant or other person). Deletes reference to attorney's fees as among the costs to be born by appellant if appeal fails. Adds provision that calls for determination by Commissioner of continued compliance with initial requirements after final order approving application. Adds provision specifying necessity of investing Perpetual Care Trust Fund deposits as authorized by article.

HB 546 - Burial ass'n ass'm't and bonds. Reported favorably as to committee substitute. Committee substitute adopted making clarifying changes and following changes in original bill: makes performance bond of secretary or secretary-treasurer of burial association payable to Burial Commissioner "as trustee for the Burial Association" (in original, simply to Commissioner). Deletes reference, in provisions for unitary treatment of associations and their branches, to such branch's operation for "members of the colored race". Adds provisions requiring that deeds of trust used to secure bonds be recorded in county wherein land lies, name Burial Commissioner as trustee for Burial Association, and contain description of encumbered property by metes and bounds together with evidence by title insurance policy or by attorney's certification that trustor is owner of marketable fee simple in such land.

HB 557 - School consolidation. Reported favorably.

HB 577 - Sub-pint liquor. Reported favorably as to committee substitute. Committee substitute adopted requiring State ABC stores to carry alcoholic beverages or liquors, except wines, in 1/2 pints when available (originally, 1/2 pints or 1/10 gallons), and authorizing State Board of Alcoholic Control, to regulate sale of beverages in such containers by limiting the number purchased at one time, and expressly relieving local ABC stores from obligation to sell in such containers all brands offered in containers of different sizes.

HB 580 - Interstate Education Compact. Reported favorably. Re-referred to Appropriations.

HB 582 - Official records distribution. Passed third reading.

HB 717 - Pistol hunting rabbit, squirrel. Reported favorably.

HB 822 - Self-liquidating projects (2). Reported favorably as amended.

HB 823 - Self-liquidating projects (1). Reported favorably.

HB 824 - Self-liquidating projects (3). Reported favorably.

HB 847 - Sanitary district board pay. Reported favorably.

HB 951 - Agreements on extension units. Reported favorably.

LOCAL BILLS

SB 250 - (Gaston) Gastonia public contracts. Passed.
SB 278 - (Guilford) Cone Hospital Board. Passed.
SB 331 - (McDowell) Map law exemption. Passed.
SB 364 - (Onslow) Validating tax assessments. Received from Senate; sent to Counties, Cities and Towns.
SB 367 - (Johnston) Four Oaks annexation. Received from Senate; sent to Judiciary 2.
SB 372 - (Union) Coroner compensation. Passed.
SB 373 - (Union) Commissioners' salaries. Passed.
SB 378 - (Orange) Hillsboro elections. Passed.
HB 256 - (Catawba) Hickory charter amendments. Reported unfavorably.
HB 733 - (Pitt) Ayden recreation funds. Passed.
HB 734 - (Pitt) Greenville radio-TV. Passed.
HB 735 - (Pitt) Greenville firemen retirement. Passed.
HB 764 - (Columbus) Municipal ABC vote. Vote by which passed third reading reconsidered. Floor amendment adopted to make changes in distribution of net profit of municipal or county ABC stores (after retaining working capital as determined by ABC board). Municipal store to allot 50% of such profits (originally, 60%) to town general fund for any public purpose and 45% (originally, 35%) to county general fund for equal distribution to school units in which ABC stores located. County store to allot 50% of profits (originally, 60%) to towns with ABC stores for any public purposes, in proportion to population and 45% (original bill, 35%) to county general fund for distribution to school units in which ABC stores are located. Passed third reading.
HB 772 - (Pitt) Additional commissioners. Passed.
HB 773 - (Carteret) Regulation of noise. Amendment adopted to specify that place where operation of motorcycles shall be unlawful during certain hours in county is on public street, highway or road (original bill, "anywhere") with the exception of any road or street part of State or Federal highway system (original bill, "State or Federal Highways"); hours when such operation shall be unlawful set at 10:00 p.m. to 9:00 a.m. (original bill, 9:00 p.m. to 9:00 a.m.). Made unlawful to operate motor vehicle (original bill, "automobile") race track in county between hours of 11:00 p.m. to 9:00 a.m. (original bill, 10:00 p.m. to 9:00 a.m.). Passed.
HB 835 - (Carteret) Nontax reserve fund. Passed.
HB 836 - (Carteret) Necessary expense reserve fund. Passed.
HB 837 - (Carteret) Beaufort extraterritorial zoning. Passed.
HB 872 - (Pasquotank) ABC store profits repeal. Passed.
HB 873 - (Pasquotank) County airport interest transfer. Passed.
HB 882 - (Alexander) Officials' compensation. Reported unfavorably.
HB 909 - (Warren) School board compensation. Passed.
HB 910 - (Franklin) Officials' pay. Passed.
HB 925 - (Mecklenburg) Recreation funds. Passed.
HB 928 - (Wake) Validating Raleigh contracts. Passed.
HB 932 - (Franklin) Well contractor licensing. Passed.
HB 933 - (Franklin, Vance, Warren) Abandoning animals. Passed.
HB 934 - (Rutherford) Bay rum prohibition. Passed.
HB 948 - (Forsyth) Winston-Salem condemnation. Passed.
HB 949 - (Forsyth) Winston-Salem property sale. Passed.

Next session of House: 11:30 a.m., Thursday, May 11, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 67

Thursday, May 11, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 466 - Introduced by Ellis and others

"To amend Article 5, Chapter 18 of the General Statutes so as to authorize the manufacture of sweet wines in North Carolina." [Adds new GS 18-99.1 providing that those authorized to do business in State, subject to State laws and regulations of State Board of Alcoholic Control, manufacture, produce and bottle fortified and sweet wines as defined in GS 18-96 and GS 18-99 and may manufacture, purchase, import and transport brandy and other ingredients and equipment used in manufacture; GS 18-49.1 (regulating transportation in excess of one gallon for delivery to federal reservation or to another state) to remain applicable to transportation of fortified and sweet wines, alcohol, and brandy used in manufacture thereof. Provides that same annual license tax imposed upon manufacturers and bottlers of unfortified wines in GS 18-67 and GS 18-68 shall be paid by manufacturer and bottler of fortified and sweet wines, and that wines manufactured and bottled under act may be sold as now authorized and shall be taxed as provided by law. Identical with HB 976.] To Propositions and Grievances.

SB 447 - Introduced by Burney and others

"To declare ownership of all bottoms in certain waters within the State and to establish procedures for conducting salvage of abandoned shipwrecks and other underwater archaeological sites." [Subject to GS Ch. 82 ("Wrecks"), SL 1963, Ch. 210 (purchasing historic properties) and any US statute, vests in State of NC title to and exclusive control of all bottoms of navigable waters within one marine league seaward from Atlantic seashore measured from extreme low water mark, and to all shipwrecks, vessels, cargoes, tackle, and underwater archaeological artifacts which have remained unclaimed for more than 10 years lying on said bottoms or on bottoms of any other navigable waters of State. Provides that custodian of shipwrecks, vessels etc., be State Department of Archives and History (Department) with power to promulgate regulations to preserve, recover and salvage underwater properties as defined in act; such rules to be approved by Governor and Council of State. Authorizes Department to establish professional staff to conduct and supervise surveillance, protection, survey and systematic underwater archaeological recovery of underwater materials. Provides that those interested in conducting exploration, recovery or salvage operations involving a derelict or its contents or other archaeological site being removed, displaced etc., must apply to Department for permit or license to conduct such operations. Department to approve permits in its discretion if exploration, recovery, etc., deemed to be in best interest of State. Sets forth content of permit, and authorizes Dep't to set fees for permits. Provides that receipts by Department under act to be allocated for continuing its duties under act subject to approval of Budget Division. Expenses in excess of receipts to be paid from Contingency and Emergency Fund with approval of Governor and Council of State. Empowers all law enforcement

agencies and officers, State and local, to assist Department in carrying out its duties under act. Provides that persons violating act or rules or regulations established thereunder to be guilty of and be punished as in cases of, misdemeanor; Act not to affect pending litigation. Effective July 1, 1967. Identical with HB 968.] To Judiciary 2.

SB 449 - Introduced by Nielson and others

"To amend Article VI, Section 4, of the Constitution of North Carolina to delete the 'Grandfather Clause' provision of the literacy qualification for voter registration." [As title indicates, deletes voter "grandfather clause" from Art. VI, Sec. 4 of State Constitution (provides that no male person who on January 1, 1867, or prior thereto was entitled to vote under laws of any state wherein he then resided, and no lineal descendant of any such person, shall be denied right to register and vote at any NC election by reason of failure to read and write any section of Constitution in English language, if such person has registered in accord with section prior to December 1, 1908 with General Assembly providing for registration of all persons entitled to vote without educational qualifications and for making a permanent registration with all persons registered to forever have right to vote in all NC elections unless disqualified under sec. 2 of Art. VI relating to qualifications of voters). Provides that constitutional amendment be submitted to voters of State at next general election under laws governing general elections. Sets out form of ballot and provides that if majority of voters favor amendment, Governor to certify amendment to Secretary of State for enrollment.] To Constitution.

SB 450 - Introduced by Nielson

"To amend Article IX, Section 2, of the Constitution of North Carolina to delete the provision that the races shall be separate in the public schools." [As title indicates; provides that amendment be submitted to voters at next general election laws; sets out form of ballot; provides that in event of favorable vote Governor to certify amendment to Sec'y of State for enrollment.] To Constitution.

LOCAL BILLS INTRODUCED -- SENATE

SB 448 - (Halifax) Introduced by Allsbrook

"Relating to the terms of office of members of the Halifax County Board of Education." [Provides that four members of Halifax County Board of Education elected in regular 1968 election receiving highest numbers of votes to serve 4-year terms with remaining three members elected to serve 2-year terms; successors to serve four years. Authorizes question of board member terms to be submitted to voters in county at primary election for county officials in 1968 and sets out form of ballot. Provides that if majority of voters are in favor, act to be in effect beginning with election of board members in 1968 but if proposition defeated all board members to serve 2-year terms.] To Education.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 130 - Extending teacher employment. Reported favorably; rereferred to Appropriations.

SB 131 - Additional teacher approp. Reported favorably; rereferred to Appropriations.

SB 134 - Industrial development bonds. Amendment adopted to correct typographical error. Passed second reading.

SB 245 - Mountain nursery funds. Postponed to 5/12.

SB 260 - Washington statue. Postponed to 5/12.

SR 268 - (Joint Resolution) Boat capacity marking. Postponed to 5/12.

SB 357 - Self-liquidating projects (1). Postponed to 5/15.
SB 358 - Self-liquidating projects (2). Postponed to 5/15.
SB 359 - Self-liquidating projects (3). Postponed to 5/15.
SB 402 - Amends SB 181. Postponed to 5/12.
SB 403 - Adoption residence requirement. Postponed to 5/12.
SB 404 - Adoption consent. Postponed to 5/12.
SB 405 - Welfare Department adoption. Postponed to 5/12.
SB 407 - Charity solicitation reports. Postponed to 5/12.
SB 433 - Fruit-vegetable research funds. Reported favorably.
SB 434 - Yam weevil indemnity. Reported favorably.
SB 436 - Bedding stamp fee. Reported favorably.
SB 438 - Beef cattle research funds. Reported favorably; rereferred to Appropriations.
SB 439 - Beef production training funds. Reported favorably; rereferred to Appropriations.

HB 197 - Indexing deeds of trust. Reported favorably.
HB 364 - Non commercial clamming. Postponed to 5/12.
HB 390 - Hit-run jail term, as amended in House 4/11. Reported favorably.
HB 391 - Racer owner jail term. Reported favorably.
HB 392 - License revoked driving jail. Reported favorably.
HB 393 - School zone speeding jail term. Reported favorably.
HB 394 - Drunk driving jail term. Reported favorably.
HB 395 - Allering auto number's jail. Reported favorably.
HB 406 - Municipal utility mutual aid. Reported favorably.
HB 418 - Dental Board hearing. Reported favorably.
HB 419 - Dental Bd. license revocation. Reported favorably.
HB 420 - Dental hygienist fees. Reported favorably.
HB 496 - Officials subpoena information. Reported favorably.
HB 565 - Boiler inspector fees. Reported favorably.
HB 582 - Official records distribution. Received from House; sent to Appropriations.
HB 587 - Bang's disease. Postponed to 5/12.
HB 631 - County-water, sewer protection. Reported favorably.
HB 673 - County orthopedic funds. Reported favorably.
HB 683 - County hospital lease. Reported favorably.
HB 789 - State condemnation procedure. Reported favorably.
HR 966 - (Joint Resolution) Blue Ridge dam protest. Received from House; passed second and third readings.

LOCAL BILLS

SB 395 - (Cleveland) Recorder's court cases. Amendment adopted making act effective on ratification rather than on July 1, 1967. Passed.
SB 396 - (Cleveland) Comm'rs set official's fees. Passed.
SB 424 - (Craven) County zoning. Passed.

HB 499 - (Orange) Chapel Hill Appearance Comm. Passed.
HB 578 - (Mitchell) Rhododendron Festival money. Passed.
HB 662 - (Haywood, Jackson) Jones Knob to Mt. Lyn Lowry. Passed.
HB 687 - (Rowan) Rumpuses around China Grove. Passed.
HB 702 - (Gaston) Tax listing regulations. Passed.
HB 705 - (Gaston) Public building contracts. Passed.
HB 707 - (Watauga) Public drunkeness. Passed.
HB 711 - (Burke) Valdese early tax discount. Passed.
HB 712 - (Burke) Valdese tax liens. Passed.
HB 723 - (Rowan) Tax listing regulations. Passed.
HB 728 - (Dare) Commissioner's vacancy. Passed.

HB 729 - (Dare) Fishing in beach area. Floor amendment adopted to delete requirement that the permission required of commercial fishers from landowners abutting ocean where fishing occurs be "written". Passed
HB 730 - (Hyde) Englehard charter revision. Passed.
HB 733 - (Pitt) Ayden recreation funds. Received from House; sent to Local Government.
HB 734 - (Pitt) Greeneville radio-TV. Received from House; sent to Judiciary 1.
HB 735 - (Pitt) Greeneville firemen retirement. Received from House; sent to Judiciary 1.
HB 745 - (Northampton) ABC profits. Passed.
HB 747 - (Northampton) Commissioner's staggered terms. Passed.
HB 748 - (Nash) Industrial development funds. Passed.
HB 751 - (Duplin) Wallace library property sale. Passed.
HB 764 - (Columbus) Municipal ABC vote. Received from House; sent to Propositions and Grievances.
HB 765 - (Burke) Commissioners' pay. Passed.
HB 772 - (Pitt) Additional commissioners. Received from House; sent to Judiciary 1
HB 773 - (Carteret) Regulation of noise. Received from House; sent to Local Gov't.
HB 776 - (Cleveland) Appoint assistant coroner. Passed.
HB 783 - (Ashe) Schoolboard land conveyance. Passed.
HB 785 - (Mecklenburg) Bail bondsmen regulated. Passed.
HB 792 - (Yancey) Tax regs. and districts. Passed.
HB 806 - (Watauga) Temporary county buildings. Passed.
HB 819 - (Lenoir) Industrial development funds. Passed.
HB 825 - (Edgecombe, Nash) Rocky Mt. planning board. Passed.
HB 835 - (Carteret) Nontax reserve fund. Received from House; sent to Local Gov't.
HB 836 - (Carteret) Necessary expense reserve funds. Received from House; sent to Local Government.
HB 837 - (Carteret) Beaufort extraterritorial zoning. Received from House; sent to Local Government.
HB 858 - (Lincoln) Lake Norman constable. Passed.
HB 869 - (Watauga) Filling commissioner vacancies. Passed.
HB 872 - (Pasquotank) ABC store profits repeal. Received from House; sent to Salaries and Fees.
HB 873 - (Pasquotank) County airport interest transfer. Received from House; sent to Salaries and Fees.
HB 897 - (Durham) Durham city wards. Passed.
HB 909 - (Warren) School board compensation. Received from House; sent to Salaries and Fees.
HB 910 - (Franklin) Officials' pay. Rec'd from House; sent to Salaries & Fees.
HB 925 - (Mecklenburg) Recreation funds. Rec'd from House; sent to Local Gov't.
HB 928 - (Wake) Validating Raleigh contracts. Rec'd from House; sent to Judiciary 1
HB 932 - (Franklin) Well contractors licensing. Rec'd from House; sent to Judiciary 2.
HB 933 - (Franklin, Vance, Warren) Abandoning animals. Rec'd from House; sent to Judiciary 2.
HB 934 - (Rutherford) Bay rum prohibition. Rec'd from House; sent to Judiciary 2.
HB 948 - (Forsyth) Winston-Salem condemnation. Rec'd from House; sent to Judiciary 2.
HB 949 - (Forsyth) Winston-Salem property sale. Rec'd from House; sent to Local Government.

Next session of Senate: 9:00 a.m., Friday, May 12, 1967.

BULLETIN NO. 67
Thursday, May 11, 1967

Session: House -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 966 - (Joint Resolution) Introduced by Collins
"Supporting the action of the Governor in opposing, on behalf of the State of North Carolina, the loss of recreational values at the proposed Blue Ridge project in Ashe and Alleghany counties in order to provide dilution of polluted waters in West Virginia." [As title indicates.] Passed three readings, sent to Senate.

HB 967 - Introduced by Messer
"To amend G.S. 105-37.1, relating to certain gross receipts taxes on amusements, so as to exempt entertainments or amusements presented on the Cherokee Indian Reservation." [Amends GS 105-37.1 (Schedule B license and gross receipts tax on certain amusements) to provide that no tax shall be collected under section for entertainments or amusements given on Cherokee Indian Reservation when person or firm giving or managing such activity is authorized to do business on reservation and pays tribal gross receipts levy to Tribal Council. Effective July 1, 1967.] To Finance.

HB 968 - Introduced by Clark of New Hanover and others
"To declare ownership of all bottoms in certain waters within the State and to establish procedures for conducting salvage of abandoned shipwrecks and other underwater archaeological sites." [Identical with SB 447, digested in the Senate section of today's bulletin.] To Judiciary 1.

HB 969 - Introduced by Johnson of Wake and Johnson of Duplin
"To amend the small watershed laws with regard to borrowing by counties for watershed improvement programs; borrowing by counties and municipalities for water supply aspects of such programs; eminent domain powers; extraterritorial powers; land acquisition authority; recreational expenditures, and fish and wildlife habitat." [Amends various provisions of the small watershed laws, as follows: (1) Defines (a) "watershed improvement project" as project of watershed improvement (whether involving flood prevention, drainage, water supply, soil and water conservation, recreation, fish and wildlife habitat, or other purposes) which is undertaken by a watershed improvement district, drainage district, soil and water conservation district, or county, under various cited general or local acts; and (b) "watershed improvement work" as a portion of a watershed improvement project. (2) Amends GS 153-77 and GS 153-80 to authorize issuance of bonds and notes (maximum maturity 40 years) by counties under County Finance Act, and levy of taxes therefor, for construction and improvement of watershed improvement works or projects under GS Ch. 139, Art. 3 or local acts, and for acquisition of property interests therefor. (3) Adds unnumbered section to GS Ch. 139, Art. 2 authorizing counties and municipalities to borrow money and issue bonds and obligations to finance cost of storage capacity for anticipated future (as well as present) water supply needs; authorizes cooperative action by two or more local units for such purposes; provides for issuance of the bonds or obligations under County or Municipal Finance Act, with specified exceptions; authorizes sale of the bonds or obligations to US agencies at private sale and without advertisement; principal installments may be made payable not over 10 years after issuance and interest accrual deferred not over 10 years; defines scope of "costs" eligible for financing under this section. (4) Adds GS 139-38 and 139-44 to confer statewide eminent domain powers on watershed improvement districts, and on counties for purposes of watershed improvement programs, to acquire by condemnation any interest in land (as defined) needed in carrying out watershed improvement program; procedure for

condemnation to be as provided in GS Ch. 40, Art. 2. Powers may be exercised only after State Soil and Water Conservation Committee finds that land is to be acquired for proper district (or county) purpose; findings to be certified to applicant, State Board of Water Resources and clerk of superior court of any county wherein any part of the district lies. Interests so acquired may be used as trustees (or county comm'rs) deem best, and may be sold, leased or rented with approval of State Committee. Repeals local acts on this subject. (Now, various local acts authorize condemnation powers for these purposes.) (5) Adds unnumbered section to GS Ch. 139, Art. 3 clarifying extraterritorial powers of counties with county watershed programs to spend funds for watershed purposes outside the county if county comm'rs find that substantial flood prevention, drainage or water supply benefits will accrue to property within the county; authority to make such findings may be delegated by comm'rs to watershed improvement comm'n. (6) Adds unnumbered section to GS Ch. 139, Art. 3 clarifying powers of local watershed sponsors (watershed improvement districts, drainage districts, soil and water conservation districts, and counties) in connection with watershed improvements works or projects to install and maintain recreational facilities and to provide areas for conservation and replacement of fish and wildlife habitat. Spells out examples of eligible recreational facilities. Provides for co-ordination of habitat replacement with fish and wildlife agencies (Wildlife Resources Comm'n and Dep't of Conservation and Development, within respective jurisdictions). Declares that provisions of existing law intended to include certain water-related recreational facilities within scope of watershed sponsors' powers; validates previous expenditures and authorizes expenditures of tax proceeds previously approved by county voters of any county if county comm'rs so determine after public hearing, and limits actions to contest validity. (7) Clarifies authority of counties to acquire property in connection with county watershed improvement programs by amending GS 139-41(a) to specifically incorporate property acquisition authority of GS 139-8(4); validates previous expenditures and authorizes expenditure of tax proceeds previously approved by county voters of any county. Provides severability clause.] To Finance.

HB 972 - Introduced by Stanford

"To amend G.S. 147-50 in order to add the branches of the Consolidated University at Charlotte, Greensboro, and Raleigh to the list of institutions now furnished copies of publications by State officials and department heads, and to correct the reference to North Carolina College at Durham." [Amends GS 147-50 (providing that State officials and heads of departments and agencies shall, upon request, issue designated numbers of copies of their printed reports, bulletins, maps or other publications to named institutions) to add the names of University of North Carolina at Charlotte, University of North Carolina at Greensboro and North Carolina State University at Raleigh, and to designate that each of them shall receive two copies of such documents and to insert the name "North Carolina College at Durham" in those places where the name "North Carolina College for Negroes" now appears in act.] To Finance.

HB 973 - Introduced by Speed and others

"To appropriate funds to North Carolina State University at Raleigh for student training in beef production." [Identical with SB 439, digested in Senate section of yesterday's bulletin, No. 66, page 622.] To Appropriations.

HB 974 - Introduced by Speed and others

"To appropriate funds to North Carolina State University at Raleigh, Agriculture Experiment Station for expansion of beef cattle feeding research." [Identical with SB 438, digested in Senate section of yesterday's bulletin, No. 66, page 622.] To Appropriations.

HB 975 - Introduced by Speed and others

"To appropriate funds to North Carolina State University at Raleigh, Agriculture Experiment Station, for capital improvements." [Identical with SB 437, digested in Senate section of yesterday's bulletin, No. 66, page 621-22.] To Appropriations.

HB 976 - Introduced by Ragsdale and others
"To amend Article 5, Chapter 18 of the General Statutes so as to authorize the manufacture of sweet wines in North Carolina." [Identical with SB 446, digested in Senate section of today's bulletin.] To Propositions and Grievances.

LOCAL BILLS INTRODUCED -- HOUSE

HB 970 - (Bertie) Introduced by Burden and Jernigan
"Relating to street improvements in Town of Windsor." [Authorizes Windsor Town Board to make street improvements (defined to include grading, widening, paving and construction of curbs, gutters and drainage facilities) and access cost thereof, exclusive of costs incurred at street intersections, against abutting property owners at an equal rate per front foot, without petition, upon following findings by board: (1) that such property owners have been requested by letter from board to sign petition in form specified by GS 160-82 (prescribing form of petition under general statutory municipal assessment procedures) for street improvements upon street abutting their property, and insufficient number of them have done so; (2) that street improvement project does not exceed 1500 lineal feet; (3) that it is in public interest to make such improvement because street is unsafe for vehicular traffic, or to connect two streets already improved, or to widen street already improved provided that assessment for widening without petition shall be limited to cost of improvements in accord with street classification and improvement standards established by town's thoroughfare or major street plan for particular street in question. Powers given by act shall be in addition to those granted by general law and procedures to be followed and effect of levying assessments under act shall be same as provided by GS 160, Art 9 (general municipal assessment authority) except those relating to petition of property owners and sufficiency thereof.] To Local Government.

HB 971 - (Sampson) Introduced by Tart
"To amend Chapter 48, Session Laws of 1963, relating to the allocation of the proceeds from ABC stores in Town of Roseboro." [Amends SL 1963, Ch. 48 (pertaining to ABC store in town of Roseboro) to provide that governing board of town may appropriate 10% of net profits from such store or $2,000, whichever is less, to Roseboro-Salemburg High School to supplement athletic and band programs. Principal of school to be notified annually by town clerk, upon adoption of town budget ordinance, of amount, if any, so appropriated. Any or all of net proceeds not so appropriated may be used by town governing board for any town governmental purpose (now, all of such proceeds may be so appropriated).] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 111 - Driver's license photos,as amended in Senate 4/3. Reported favorably.
SB 279 - Special birth certificate. Reported favorably.
SB 302 - Cemetery desecration, as amended in Senate 5/10. Received from Senate; sent to Judiciary 1.
SB 381 - Gas users tax rebate. Reported favorably.
SB 415 - City boundary fishing. Received from Senate; sent to Wildlife Resources.

HB 45 - Personalized license plate (House committee substitute 3/29), as amended in House 3/30, and in Senate 5/10. Concurred in Senate amendment.
HB 146 - Election law codification. Reported favorably as amended.
HB 160 - Driver's license photos. Reported favorably.
HB 298 - Industrial development bonds. Amendments adopted making spelling correction and providing that local governmental taxing units receiving funds,

in lieu of taxes, pursuant to provisions of Act shall expend such funds pro rata for purposes for which they levy property taxes. Passed second reading.

HB 423 - Water heater labels (Senate committee substitute 5/9). Received for concurrence in Senate committee substitute; placed on calendar for 5/12.

HB 545 - Perpetual care cemeteries (House committe substitute 5/10). Passed second reading.

HB 857 - UNC enterprises bonds. Reported favorably.

HB 924 - Charity solicitation reports. Reported favorably.

HB 945 - Work release earnings. Reported favorably.

HB 955 - Auto manufacturers certificates. Reported favorably.

LOCAL BILLS

SB 139 - (Camden) Deer shooting prohibition. Passed.

SB 172 - (Rockingham) Bd. of Comm'rs compensation. Passed.

SB 234 - (Randolph) Randleman aldermen comp. Passed.

SB 326 - (Polk) School board compensation. Passed.

SB 327 - (Polk) Columbus council election. Received from Senate; sent to Local Government.

SB 337 - (Pitt) Number of commissioners. Received from Senate; sent to Counties, Cities and Towns.

SB 338 - (Catawba) Hickory charter changes. Passed.

SB 339 - (Cumberland) County zoning. Postponed to 5/17.

SB 343 - (Robeson) Municipal ABC stores. Passed.

SB 347 - (Jackson) Sylva ABC election. Passed.

SB 348 - (McDowell) Marion name, election changes. Received from Senate; sent to Local Government.

SB 349 - (Edgecombe) Tarboro Charter revision, as amended in Senate 5/8. Received from Senate; sent to Counties, Cities and Towns.

SB 352 - (Montgomery) Mt. Gilead comm'r pay. Passed.

SB 362 - (Lenoir) Industrial development funds. Postponed to 5/12.

SB 365 - (Onslow) Validates school land transfer. Passed.

SB 370 - (Union) Monroe stadium lease. Passed.

SB 376 - (Orange) Carrboro corporate limits. Passed third reading.

SB 377 - (Orange) Hillsborough elections. Passed third reading.

SB 397 - (Union) County employees retirement. Passed.

HB 516 - (Northampton) Gaston animal slaughter o.k.'d. Passed.

HB 556 - (Franklin, Warren) Fox hunting. Passed.

HB 640 - (Avery, Mitchell, Watauga) Tresspassing posted lands. Passed.

HB 713 - (Alexander) Officials salaries. Amendment adopted deleting sheriff from provisions of Act. Passed.

HB 736 - (Pitt) County-city airport authority. Passed third reading.

HB 758 - (Carteret) Trapping season. Passed.

HB 763 - (Ashe) Register of deeds fees. Passed.

HB 820 - (Buncombe) Highway deer hunting. Passed.

HB 887 - (Onslow) Watershed eminent domain. Passed third reading.

HB 889 - (Wake) Garner charter changes. Passed third reading.

HB 927 - (Ashe) Idlewild school sale. Passed.

HB 929 - (Wake) Cary water and sewer charges. Passed third reading.

HB 947 - (Orange) Chapel Hill transport. Passed third reading.

Unnumbered House Resolutions:

HR [C] - Introduced by Johnson of Wake

"Directing the Legislative Research Commission to study and make recommendations relating to an amendment to the Constitution of North Carolina so as

to lower the minimum voting age." [Directs Legislative Research Commission to study, pursuant to GS 120 (defining powers of General Assembly), question of lowering minimum voting age in State and whether constitutional amendment for this purpose should be submitted to vote of people. Commission to report findings and recommendations to 1969 General Assembly and Governor not later than Feb. 5, 1969.] To Rules.

Next session of House: 9:30 a.m., Friday, May 12, 1967.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 68

Friday, May 12, 1967

Session: Senate -- 9:00 a. m.

PUBLIC BILLS INTRODUCED -- SENATE

SR 451 - (Joint Resolution) Introduced by Alford
"Seeking to curb and abate the advertising practices of unauthorized insurers and recommending that the advertising media, the Insurance Commissioner and the insurance industry formulate a voluntary plan designed to curb certain advertising practices of unauthorized insurers." [Requests that Insurance Commissioner, his staff, and insurance industry form committee to work out voluntary plan, and that Commissioner publish periodical bulletins containing lists of authorized insurers. Effective July 1, 1967.] To Insurance.

SB 452 - Introduced by Henley
"To rewrite G.S. 90-65 relating to the power of the Board of Pharmacy to suspend, revoke, or refuse to renew a pharmacist license or a drug store permit." [Rewrites cited section providing that Board of Pharmacy may, after due notice and hearing, refuse to grant any license or suspend, revoke, or refuse to renew any permit issued by it to any person or party for operation of drug store or pharmacy, or to a physician to conduct a drug store in a village of less than 800 persons, or any license issued to (ass't) pharmacist, if such person (or persons): (1) by fraud or false representations secures such license or its renewal; (2) is guilty of any felony, or any offense involving moral turpitude, if felony or offense affects fitness to practice pharmacy; (3) habitually indulges in use of narcotic or other drugs or intoxicating liquors to degree rendering person unfit to practice pharmacy; (4) by fraud or false representation in connection with practice of pharmacy endangers or, is likely to endanger health or savety of public; (5) is guilty of gross immorality; (6) has physical or mental disability, evidenced by affidavit or sworn testimony of three physicians that such conditions exist and Board determines that it is in interest of public health and safety that license not remain in force or be renewed; (7) fails to comply with laws governing practice of pharmacy and distribution of drugs; or (8) fails to comply with regulations of Board where such failure endangers or is likely to endanger health and safety of public. (Now, Board may refuse to grant license to any person guilty of felony or gross immorality, or who is addicted to use of alcoholic liquors or narcotic drugs to such extent as to render person unfit to practice pharmacy, and after notice and hearing revoke license for like cause or one obtained fraudulently.) Provides that any license, permit or renewal obtained through fraud or by fraudulent or false representations be void. (Unchanged). Identical with HB 980.] To Public Health.

SB 453 - Introduced by Bailey
"To provide a copy of the Session Laws to the State Soil and Water Conservation Committee." [Amends GS 147-45 (distribution list for copies of Session

Laws) to include State Soil and Water Conservation Committee as receiving one copy of the Session Laws.] To Judiciary 1.

SB 454 - Introduced by Nielson and Bagnal

"To amend Article III, Section 5, of the Constitution of North Carolina to provide for the approval or veto by the Governor of public bills passed by the General Assembly." [Provides form of ballot for question, to be submitted to voters at next general election, on whether to adopt amendment to cited article of State Constitution (duties of Governor) providing that any public bill passing both houses shall be presented to Governor and, if General Assembly is in session, shall become law if Governor either signs or fails to veto it within 15 days of presentation; if General Assembly has adjourned sine die during that 15 day period, bill shall become law only if Governor signs it within 30 days after such adjournment. If Governor does not approve bill, he shall veto it and return it with his objections to house of origin within 15 days, which bill shall be reconsidered by both houses, both of which must approve bill by 2/3 vote of present members in order that it become law. Veto shall apply to entire bill except bills which may contain several appropriations in which case Governor may strike out or reduce individual appropriations. If voters favor amendment, Governor to certify amendment to Secretary of State for enrollment.] To Constitution.

LOCAL BILLS INTRODUCED -- SENATE

NONE

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 245 - Mountain nursery funds. Rereferred to Appropriations.
SB 260 - Washington's statue. Passed second and third readings.
SR 268 - (Joint Resolution) Boat capacity marking. Passed second and third readings.
SB 289 - Local jail law revision. Reported favorably as amended.
SR 290 - (Joint Resolution) Jail study commission. Reported favorably.
SB 402 - Amends SB 181. Passed second and third readings.
SB 403 - Adoption residence requirement. Postponed to 5/16.
SB 404 - Adoption consent. Postponed to 5/16.
SB 405 - Welfare Department adoption. Postponed to 5/16.
SB 407 - Charity solicitation reports. Passed second reading. Postponed to 5/15.
SB 436 - Bedding stamp fee. Passed second reading.

HB 197 - Indexing deeds of trust. Passed second and third readings.
HB 364 - Non commercial clamming. Passed second and third readings.
HB 390 - Hit-run jail term, as amended in House 4/11. Passed second and third readings.
HB 391 - Racer owner jail term. Passed second and third readings.
HB 392 - License revoked driving jail. Passed second and third readings..
HB 393 - School zone speeding jail term. Passed second and third readings.
HB 394 - Drunk driving jail term. Passed second reading. Postponed to 5/15.
HB 395 - Altering auto numbers jail. Passed second and third readings.
HB 406 - Municipal utility mutual aid. Passed second and third readings.
HB 418 - Dental Board hearing. Passed second and third readings.
HB 419 - Dental Board license revocation. Passed second and third readings.
HB 420 - Dental hygienist fees. Passed second reading.
HB 496 - Officials subpoena information. Passed second and third readings.
HB 565 - Boiler inspector fees. Passed secord reading.
HB 587 - Bang's disease. Amendment adopted including all cattle, swine, sheep, goats or other animals "subject to infection by Brucella organisms" to be subject to test requirements established by Board of Agriculture

(originally all cattle, swine, or goats sold or offered at public sale to be subject to such test requirements). Passed second and third readings.

HB 631 - County-water, sewer protection. Passed second and third readings.
HB 673 - County orthopedic funds. Passed second and third readings.
HB 683 - County hospital lease. Passed second and third readings.
HB 789 - State condemnation procedure. Postponed to 5/15.

LOCAL BILLS

SB 139 - (Camden) Deer shooting prohibition. Received for concurrence in House Amendment; concurred.

HB 433 - (Polk) Tryon school unit. Passed.
HB 475 - (Guilford) Board of Education elections. Passed.
HB 516 - (Northampton) Gaston animal slaughter o.k.'d. Received from House; sent to Wildlife.
HB 535 - (Wilkes) School board compensation. Passed.
HB 556 - (Franklin, Warren) Fox hunting. Received from House; sent to Wildlife.
HB 572 - (Beaufort) School Dist. Comm. No. 3. Passed.
HB 583 - (Buncombe) Medical examiner. Passed.
HB 613 - (Dare) School property lease. Passed.
HB 614 - (Dare) School property conveyance. Passed.
HB 640 - (Avery, Mitchell, Watauga) Trespassing posted land. Received from House; sent to Wildlife.
HB 666 - (Cleveland) Board of education election. Passed.
HB 675 - (Dare) Board of education appointment. Passed.
HB 694 - (Wilkes) Clingman school property. Passed.
HB 698 - (Brunswick) Abolish nonpartison school board. Passed.
HB 709 - (Harnett) CSC fund transfer. Passed.
HB 710 - (Lee, Harnett) Confiscated weapons. Passed.
HB 713 - (Alexander) Officials' salaries, as amended in House 5/11. Received from House; sent to Salaries and Fees.
HB 719 - (Rowan) Public library tax. Passed third reading.
HB 736 - (Pitt) County-City airport authority. Received from House; sent to Counties, Cities, and Towns.
HB 744 - (Northampton) Water-sewer assessments. Passed third reading.
HB 757 - (Carteret) Parking on Bogue Banks. Passed.
HB 758 - (Carteret) Trapping season. Received from House; sent to Wildlife.
HB 763 - (Ashe) Register of deeds fees. Received from House; sent to Salaries and Fees.
HB 777 - (Rutherford) Small watershed programs. Passed third reading.
HB 781 - (Alamance) Closing-out sales exemption. Passed.
HB 782 - (Allegheny) Prohibiting firearm discharge. Passed.
HB 784 - (Guilford) Special tax offices expense. Passed third reading
HB 808 - (Alamance) Burlington housing appeals. Passed.
HB 820 - (Buncombe) Highway deer hunting. Received from House; sent to Wildlife.
HB 821 - (Buncombe) School bus use. Passed.
HB 842 - (Randolph) Asheboro Charter revision. Passed third reading.
HB 848 - (Chatham) Uncollected taxes. Passed.
HB 852 - (Lee) Joint planning board. Passed.
HB 854 - (Lee) Minimum housing standards. Passed.
HB 860 - (Lincoln) Medical examiner. Passed.
HB 870 - (Watauga) Courthouse construction. Passed third reading.
HB 871 - (Caldwell) Lenoir Charter revision. Passed third reading.
HB 887 - (Onslow) Watershed eminent domain. Received from House; sent to Judiciary 1.
HB 889 - (Wake) Garner Charter changes. Received from House; sent to Judiciary 1.

HB 927 - (Ashe) Idlewild School Sale. Received from House; sent to Counties, Cities and Towns.
HB 929 - (Wake) Cary water and sewer charges. Received from House; sent to Counties, Cities and Towns.
HB 947 - (Orange) Chapel Hill transport. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED - MAY 11

SB 250 - (Gaston) Gastonia public contracts. [Ch. 392]
SB 278 - (Guilford) Cone Hospital Board. [Ch. 393]
SB 331 - (McDowell) Map law exemption. [Ch. 394]
SB 372 - (Union) Coroner compensation. [Ch. 395]
SB 373 - (Union) Commissioners salaries. [Ch. 396]
SB 378 - (Orange) Hillsborough elections. [Ch. 397]
SR 432 - (Joint Resolution) Memorializing NC Vietnam dead. [R 47]
HB 191 - Surplus fund investment. [Ch. 398]
HB 654 - Ambulances not for-hire. [Ch. 399]
HB 807 - (Alamance) Burlington voting hours. [Ch. 400]

BILLS RATIFIED - MAY 12

SB 172 - (Rockingham) Bd. of Comm'rs' compensation. [Ch. 401]
SB 234 - (Randolph) Randleman aldermen comp. [Ch. 402]
SB 326 - (Polk) School board compensation. [Ch. 403]
SB 338 - (Catawba) Hickory charter changes. [Ch. 404]
SB 343 - (Robeson) Municipal ABC stores. [Ch. 405]
SB 347 - (Jackson) Sylva ABC election. [Ch. 406]
SB 352 - (Montgomery) Mt. Gilead comm'r pay. [Ch. 407]
SB 365 - (Onslow) Validates school land transfer. [Ch. 408]
SB 370 - (Union) Monroe stadium lease. [Ch. 409]
SB 376 - (Orange) Carrboro corporate limits. [Ch. 410]
SB 377 - (Orange) Chapel Hill town limits. [Ch. 411]
SB 397 - (Union) County employees retirement. [Ch. 412]
HB 45 - Personalized license plate, (House committee substitute 3/29), as amended in House 3/30 and in Senate 5/10. [Ch. 413]
HB 499 - (Orange) Chapel Hill Appearance Comm.[Ch. 414]
HB 578 - (Mitchell) Rhododendron festival money. [Ch. 415]
HB 662 - (Haywood, Jackson) Jones Knob to Mt. Lyn Lowry. [Ch. 416]
HB 687 - (Rowan) Rumpuses around China Grove. [Ch. 417]
HB 702 - (Gaston) Tax listing regulations. [Ch. 418]
HB 705 - (Gaston) Public building contracts. [Ch. 419]
HB 707 - (Watauga) Public drunkeness. [Ch. 420]
HB 711 - (Burke) Valdese early tax discount. [Ch. 421]
HB 712 - (Burke) Valdese tax liens. [Ch. 422]
HB 723 - (Rowan) Tax listing regulations. [Ch. 423]
HB 728 - (Dare) Commissioners' vacancy. [Ch. 424]
HB 730 - (Hyde) Englehard charter repeal. [Ch. 425]
HB 745 - (Northampton) ABC profits. [Ch. 426]
HB 747 - (Northampton) Commissioners' staggered terms [Ch. 427]
HB 748 - (Nash) Industrial development funds. [Ch. 428]
HB 751 - (Duplin) Wallace library property sale. [Ch. 429]
HB 765 - (Burke) Commissioners' pay. [Ch. 430]
HB 776 - (Cleveland) Appoint assistant coroner. [Ch. 431]
HB 783 - (Ashe) Schoolboard land conveyance. [Ch. 432]
HB 785 - (Mecklenburg) Bail bondsmen regulated. [Ch. 433]
HB 792 - (Yancey) Tax regs. and districts. [Ch. 434]

HB 806 - (Watauga) Temporary county buildings. [Ch. 435]
HB 819 - (Lenoir) Industrial development funds. [Ch. 436]
HB 825 - (Edgecombe, Nash) Rocky Mt. planning board. [Ch. 437]
HB 858 - (Lincoln) Lake Norman constable. [Ch. 438]
HB 869 - (Watauga) Filling commissioner vacancies. [Ch. 439]
HB 897 - (Durham) Durham city wards. [Ch. 440]
HR 966 - (Joint Resolution) Blue Ridge dam protest. [R 48]

Next sessions of Senate: 9:00 a.m., Saturday, May 13, 1967, for consideration of local bills only.
8:00 p.m., Monday, May 15, 1967.

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BULLETIN NO. 68

Friday, May 12, 1967

Session: House -- 9:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 978 - Introduced by Auman and others
"Relating to the financial support of community colleges, technical institutes and industrial education centers so as to provide State aid to assist in their plant operation and appropriating State funds for such purpose." [Authorizes State Board of Education, through Department of Community Colleges to provide financial aid as title indicates. Appropriates from General Fund to Board $441,250 for fiscal year 1967-68 and $571,250 for fiscal year 1968-69. Funds to be equitably allocated by Board, through Dep't, according to standards established by Board, proportionally to each institution qualified to receive said funds solely on basis of number of full time equivalent students attending such institutions. Identical with SB 417, digested in Bulletin No. 63 at p. 592.] To Appropriations.

HB 980 - Introduced by Tate
"To rewrite G.S. 90-65 relating to the power of the Board of Pharmacy to suspend, revoke or refuse to renew a pharmacist license or a drug store permit." [Identical with SB 452 digested in Senate section of today's Bulletin.] To Health.

HB 981 - Introduced by Edwards and others
"To amend G.S. 28-105 relative to the priority of funeral expenses." [Amends G.S. 28-105 to provide that, after payment of debts of decedent which by law have a specific lien on property, second order of payment of debts shall be for funeral expenses to extent of $800 (now $600) not including cemetery lot or gravestone; and to add new provisions that preferential limitation herein granted shall be only a limit as to preference and not as to reasonable funeral expenses which may be incurred, and that preference of $800 shall not be diminished by any Veterans Administration, Social Security or other Federal Governmental benefits awarded to estate of deceased or his beneficiaries.] To Judiciary 2.

HB 982 - Introduced by Edwards and others
"To amend Chapter 160 of the General Statutes to authorize municipalities and counties to create regional councils of local officials." [Authorizes creation by two or more municipalities, counties, or municipalities and counties, of regional council of local officials to exercise powers and duties specified in creating resolutions or amendments thereto and by this act. Membership of council to be limited to elected members of governing bodies of creating governmental units. Creation to be by adoption of identical resolutions by governing bodies setting out name, powers, and functions of council and number and terms of members, method for determining financial support by governmental units, and statement that fiscal procedures of council to substantially comply with Municipal or County Fiscal Control Acts. Resolution may provide for compensation of council members and, establish rules for conduct of council. Any governmental unit may withdraw from council at end of any fiscal year upon 60 days notice and any unit may join existing council at any time with concurrence of members. Council to choose chairman from among its members and adopt rules for operation not inconsistent with rules established by creating resolution. If granted power to do so by creating resolutions, and within limit of available funds,

Council may hire and fix compensation of such employee and contract with consultants, agencies of State or Federal government, or any member government for such employee services. Council may accept and disburse funds, grants and services from State, Federal Government, or any other governmental unit. Each member municipality and county may appropriate funds and services to council and levy annually taxes for this purposes which is specifically declared necessary expense and special purpose; if expenditure is found by court not to be necessary expense then municipality or county may call referendum on taxation for this purpose. Council shall have power to promote cooperation and coordination among member units; make recommendations for review and action to member units and other public agencies performing functions in region; study such of following area problems common to two or more member units as may be specified in creating resolution: health, safety, welfare, education, recreation, economic conditions, regional planning, or regional development; and may exercise such other powers capable of exercise by its member units and necessary to deal with problems of mutual concern, as are specified in creating resolutions.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- HOUSE

HB 977 - (Columbus) Introduced by Collier and Williamson
"To fix the salary of the mayor and members of the Board of Town Commissioners in the Town of Chadbourn." [Sets salary of Chadbourn mayor at $400 annually; Chadbourn commissioners to receive $200 annually; all such salaries payable in equal monthly installments.] To Local Government.

HB 979 - (Dare) Introduced by Burrus and Roberson
"Relating to the fees charged by the Register of Deed of Dare County." [Provides that, in addition to other fees, Dare Register of Deeds shall collect $2 for each deed recorded in his office, to be used by county to help defray expenses incident to transfer of property on county tax map records. Effective July 1, 1967.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 111 - Driver's license photos, as amended in Senate 4/3. Passed second reading.
SB 226 - Educational loans. Postponed to 5/17.
SB 279 - Special birth certificate. Passed second and third reading.
SB 381 - Gas users tax rebate. Postponed to 5/16.

HB 146 - Election law codification. Postponed to 5/16.
HB 251 - Uniform Comm'l Code changes. Committee substitute adopted to make following additions and deletions in original bill: (1) Amend GS 25-2-703 (3) to remove lien creditor from superior position over seller's right to reclaim goods delivered. (2) Amend GS 25-3-501(3) (relating to protest of drafts drawn or payable outside US) to require protest for drafts drawn or payable outside US, DC, dependencies, possessions and Puerto Rico. (3) Amend GS 25-4-405(1) to remove disjunctive "or" to make section relate only to bank customer's incompetency. (4) Add to GS 25-7-209(3) (relating to warehousemans' lien) provisions broadening protection of warehouseman's lien for charges and expenses or lien as security interest, and making such lien on household goods superior to others if depositor is legal possessor of goods at time of deposit. (5) Amend GS 25-9-105(1)(b) and GS 25-9-106 (definitions sections) to clarify "Chattel paper" definition as not including charter or vessel hire

contract. (6) Amend GS 25-9-103(2) to make technical correction. (7) Amend GS 25-9-204(4)(a) to provide that no security interest attaches to after acquired crops morethan five (now, one) years after execution of security agreement. (8) Amend GS 25-9-302(1)(c) and (d) (relating to perfecting security interests) to provide that compliance with GS 20-58 (MV Chapter coverage of security interest perfection) meets filing requirements under Section. (9) Amend GS 25-9-302 with provisions adding NC electric or telephone membership corporations, and security interests created in connection with indebtedness papers of State or political subdivisions, to areas to which Article's filing provisions do not apply. (10) Make spelling correction in GS 25-9-306(4)(c). (11) Make provisions of GS 45-7, GS 45-8, 45-10, 45-11 (Ch. 45 relates generally to mortgages and deeds of trust) apply to real property only (original bill subordinated sections to UCC provisions in cases of conflict between two.).(12) Delete entirely GS 45-12 amendment. (13) Delete conditional sales contracts from application of GS 45-21.11 (serial notes limitations statute); GS 45-21.12 (sale power barred when foreclosure barred) and GS 45-21.20(1) (satisfaction of debt between sale time and upset bid time). (14) Repeal GS 44-28 and GS 44-29 (relating to warehouse storage liens) and GS 44-38.1 (relating to personal property liens created in another state). (15) Amend GS 20-77(d) to provide that vehicles left unclaimed in garage or other such public storage place for 30 days be reported to Department of Motor Vehicles after expiration of period with violation of reporting a misdemeanor (up to $500 or 30 days or both)--but vehicle not unclaimed if garage operator knows name and address of vehicle owner.

HB 298 - Industrial development bond. Passed third reading.
HB 423 - Water heater labels. (Senate committee substitute 5/9). Concurred in Senate committee substitute.
HB 467 - Veterans Comm'n & Scholarships. Amendment adopted correcting typographical error. Passed second and third readings.
HB 545 - Perpetual care cemetaries, (House committee substitute 5/10). Postponed to 5/17.
HB 546 - Burial ass'n ass'm't & bonds, (House committee substitute 5/10). Passed second reading.
HB 557 - School consolidations. Passed second reading.
HB 577 - Sub-pint liquor, (House committee substitute 5/10). Postponed to 5/15.
HB 609 - Interfamilial actions in State. Passed second and third readings.
HB 618 - Domestic relations warrants. Passed second and third readings.
HB 682 - Wrongful death damages. Postponed to 5/16.
HB 691 - Car insurance, license penalty. Postponed to 5/15.
HB 717 - Pistol hunting rabbit, squirrel. Passed second and third readings.
HB 822 - Self-liquidating projects(2). Postponed to 5/15.
HB 823 - Self-liquidating projects (1). Postponed to 5/15.
HB 824 - Self-liquidating projects (3). Postponed to 5/15.
HB 847 - Sanitary district board pay. Passed second and third readings.
HB 857 - UNC enterprises bonds. Passed second reading.
HB 924 - Charity solicitation reports. Postponed to 5/16.

LOCAL BILLS

SB 139 - (Camden) Deer shooting prohibition. Reported in yesterday's Bulletin as passed. Entry should have read: Amendment adopted providing that hunting, taking or attempting to hunt or take deer with a rifle from a stand at least eight feethigh, or while hunting on own land or while hunting on land of hunt club of which hunter is a member, or on land with permission of owner shall be lawful. Passed.

SB 362 - (Lenoir) Industrial development funds. Postponed indefinitely.
SB 395 - (Cleveland) Recorder's court cases. Received from Senate; sent to Conservation and Development.
SB 396 - (Cleveland) Comm'rs set officials fees. Received from Senate; sent to Local Government.
SB 424 - (Craven) County zoning. Received from Senate; sent to Judiciary 1.

HB 642 - (Hyde) Land from Sound. Passed second and third readings.
HB 729 - (Dare) Fishing in beach areas. Received for concurrence in Senate amendment; concurred.
HB 855 - (Lee) Sanford charter revision. Postponed to 5/15.

Next sessions of House: 9:00 a.m., Saturday, May 13, 1967 for consideration of local bills only.
8:00 p.m., Monday, May 15, 1967.

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BULLETIN NO. 69

Monday, May 15, 1967

Note: The Senate convened at 9:00 a.m., Saturday, May 13, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRCDUCED -- SENATE

SB 456 - Introduced by Brumby

"To amend G.S. 105-37.1, relating to certain gross receipts taxes on amusements, so as to exempt entertainments or amusements presented on the Cherokee Indian Reservation." [Adds GS 105-37.1(c) exempting amusements given on Cherokee Indian Reservation from gross receipts taxes when person giving is authorized and pays tribal gross receipts levy to tribal council. Effective July 1, 1967.] To Finance.

SB 457 - Introduced by Boger and Griffin

"To amend Section 130-128 of Chapter 130 of the General Statutes of North Carolina to authorize sanitary districts to accept advances on loans from the federal government and to amend Section 130-138 of said Chapter 130 to provide for such advances." [Amends GS 130-128(3) to authorize sanitary district organized under GS 130, Art. 12, to accept advances after bond resolution on any loan for which federal government has entered a loan agreement. Amends GS 130-138 to add provision authorizing sanitary district that has entered into loan agreement with federal government pursuant to bond resolution, to secure advances on such loan repayable out of proceeds of sale of bonds; such advances to be authorized by district resolution specifying manner of execution, and board to file certified copy of resolution with Local Government Commission with statement showing amount of advance, its date and interest, if any. Authorizes State Treasurer to apply proceeds of bond sales to payment of advances.] To Judiciary 2.

SB 458 - Introduced by Allen and others

"To amend the State Tort Claims Act to include students in the institutions, schools and agencies under the control of the State Board of Juvenile Correction." [Adds to GS 143-291 (constituting the NC Industrial Commission a court to hear tort claims against state agencies) provision that students in institutions, schools, and agencies established and maintained for correction, discipline, or training of delinquent minors under management and control of State Board of Juvenile Correction shall for purpose of GS Ch. 143, Article 31 (tort claims against state agencies) be considered as employees, involuntary servants, or agents of school or institution in which they reside, and such school or institution shall be liable for their negligent and intentional acts in accordance with provisions of such article. Effective as to negligent or intentional acts committed on or after Jan. 1, 1967.] To Correctional Institutions.

SB 459 - Introduced by Futrell

"To authorize the North Carolina Board of Water Resources to establish a system of reporting water use information." [Adds to GS 143-355 provision directing Board of Water Resources to establish a system of reporting water use information, and to adopt reasonable regulations to that end.] To Conservation and Development.

SB 460 - Introduced by Futrell

"To amend the Well Driller Registration Act as set forth in Article 38 of Chapter 143 of the North Carolina General Statutes." [Identical with HB 995, digested in the House section of today's bulletin.] To Conservation and Development.

SB 461 - Introduced by Futrell

"To amend Article 6 of Chapter 87 of the General Statutes of North Carolina, relating to well contractors." [Identical with HB 994, digested in the House section of today's bulletin.] To Conservation and Development.

SB 462 - Introduced by Futrell

"To authorize the North Carolina Department of Water Resources to assist, coordinate, and otherwise participate with local levels of government in a program of flood plain management." [Identical with HB 997, digested in the House section of today's bulletin.] To Conservation and Development.

SB 463 - Introduced by Futrell

"To provide for certification and inspection of certain dams, under the supervision of the North Carolina Department of Water Resources." [Effective July 1, 1967 enacts Dam Safety Law of 1967 providing for regulation of construction, repair and operation of certain dams by State Board of Water Resources in the interest of public safety and of maintaining minimum stream flows. (All dams are subject to Act except those constructed and designed by federal departments and agencies, licensed by or with license pending before Federal Power Commission, built with financial aid from and designed or supervised by US Soil Conservation Service, less than 15 feet tall or impounding less than ten acre-feet, or under single private ownership and negligibly affecting other lands. "Minimum stream flows" are defined as those sufficient to meet established standards and classifications under State Stream Sanitation Law.) Requires permit from Board for construction, repair, alteration or removal of any dam subject to Act, after review of application by Department of Water Resources and reference to interested State and local agencies, including State Board of Health, Wildlife Resources Comm'n, Dep't of Conservation & Development, and State Highway Comm'n; projects must be designed and supervised by a qualified NC engineer; notice of completion of work must include engineer's certificate that work completed in accord with approved design and that dam is safe and satisfies minimum flow requirements; in order to maintain minimum flows, Board may include in permits conditions relating to releases from impoundments, location or design of intakes and outlets, amount and timing of reservoir withdrawals, and construction of submerged weirs.

Empowers Board to: supervise and adopt standards for maintenance and operation of dams to safeguard life and property and satisfy minimum flow requirements; inspect dams through consulting engineers, endeavoring to provide inspection at 5-year intervals, within available funds; and order necessary repairs, maintenance, alterations or removal, or take immediate emergency measures to protect life and property, at owner's expense. Authorizes any applicant, dam owner, or any three affected landowners, who are dissatisfed with any final order or decision of Board to appeal to Superior Court pursuant to judicial review procedures of GS Ch. 143, Art. 33. Provides penalties for violations and authorizes Board to institute civil actions in superior court to restrain violations. Authorizes Board to adopt regulations to implement Act; to employ expert consultants; to conduct investigations and

to enter upon and inspect private property. Authorizes combining of duplicating provisions by Attorney General in codifying this and related legislation in GS Ch. 143, Art. 21. Identical with HB 993.] To Conservation and Development.

SB 464 - Introduced by Futrell

"To amend Article 38 of Chapter 143 of the North Carolina General Statutes relating to the powers and duties of the Board of Water Resources." [Identical with HB 998, digested in the House section of today's bulletin.] To Conservation and Development.

SB 465 - Introduced by Futrell

"To grant limited regulatory authority to the North Carolina Board of Water Resources regarding the use of water and for related purposes." [Identical with HB 991, digested in the House section of today's bulletin.] To Conservation and Development.

SB 466 - Introduced by Futrell

"To grant the North Carolina Board of Water Resources the authority, within certain prescribed limitations, to administer the law relating to well construction." [Identical with HB 992, digested in the House section of today's bulletin.] To Conservation and Development.

SB 467 - Introduced by Norton and Buchanan

"To appropriate $200,000 from the General Fund of North Carolina to the State Board of Education, Department of Community Colleges, to provide equipment for a regional health education center at Asheville-Buncombe Technical Institute." [Identical with HB 986, digested in the House section of today's bulletin.] To Appropriations.

SB 468 - Introduced by White of Cleveland

"To amend G.S. 20-16 to provide for suspension of operator's or chauffeur's license of licensees between the ages of eighteen (18) and twenty-one (21) who accumulate six points on their driving record within any twelve-month period." [Adds to GS 20-16 category of drivers whose licenses Department of Motor Vehicles is authorized to suspend with or without preliminary hearing upon showing by its records of requisite conditions as follows: one between age of 18 and 21 who has within 12-month period accumulated six or more points according to schedule for violations under section. Provides that no licensee between those ages shall be permitted to avoid suspension of license by attending driver improvement clinics conducted by Department. Effective July 1, 1967.] To Highway Safety.

SB 469 - Introduced by Warren

"To amend G.S. 97-86 regarding appeals from the North Carolina Industrial Commission." [Amends GS 97-86 to require appeals on errors of law from awards of Industrial Commission not reviewed in time or Comm'n award upon such review to be made to court of appeals under terms and conditions that govern appeals from superior court to court of appeals in ordinary civil actions (now, appeal made to superior court of county in which alleged accident happened or in which employer resides or has his principal office). Appellant to prepare statement of case stating separately err errors alleged; copy to be served on respondent within 15 days from entry of appeal taken. Within 10 days after service, respondent to return copy with his approval or specified amendments endorsed or attached; if not returned with objections within time prescribed, it is deemed approved. Chairman of Industrial Comm'n empowered to enlarge time in which to serve statement of case on appeal and exceptions thereto or counter-statement of case. If respondent returns case with objections or if countercase is

served on appellant, appellant to immediately request Chairman to fix time and place for settling case; if appellant delays longer than 15 days, exceptions filed by respondent to be allowed, or countercase served by him shall constitute the case on appeal, but time may be extended by agreement. Chairman to notify attorneys of parties of time and place to appear before him, not more than 20 days from receipt of request for hearing. Chairman to settle and sign case at time and place stated and deliver copy to parties' attorneys; appellant to file it with clerk of court of appeals or if he fails, respondent may file his copy.

Authorizes Industrial Comm'n to certify questions of law to court of appeals (now, supreme court). Effective Oct. 1, 1967.] To Courts and Judicial Districts.

SB 470 - Introduced by Warren

"Regarding appeals under the State Tort Claims Act." [Rewrites GS 143-293 to require appeals of errors of law by either claimant or State from decision and order of Industrial Comm'n to be made to court of appeals (now, superior court of county in which claim arose) under terms and conditions governing appeals in ordinary civil action. Appellant to prepare statement of case stating separately errors alleged; copy to be served on respondent within 15 days from entry of appeal taken. Within 10 days after service, respondent to return copy with his approval or specified amendments endorsed or attached; if not returned with objections within time prescribed, it is deemed approved. Chairman of Industrial Comm'n empowered to enlarge time in which to serve statement of case on appeal and exceptions thereto or counterstatement of case. If respondent returns case with objections or if countercase is served on appellant, appellant to immediately request Chairman to fix time and place for settling case; if appellant delays longer than 15 days, exceptions filed by respondent to be allowed, or countercase served by him shall constitute the case on appeal, but time may be extended by agreement. Chairman to notify attorneys of parties of time and place to appear before him, not more than 20 days from receipt of request for hearing. Chairman to settle and sign case at time and place stated and deliver copy to parties' attorneys; appellant to file it with clerk of court of appeals within five days or if he fails, respondent may file his copy.

Amends GS 143-294 to make appeal from Industrial Comm'n to court of appeals (now, superior court) supersedeas appeal. Effective Oct. 1, 1967.] To Courts and Judicial Districts.

SB 471 - Introduced by Warren

"To provide for filing certificates of incorporation and related business documents with the register of deeds; to transfer such exisiting records from the offices of clerks of the superior court to the offices of registers of deeds; and for other purposes." [Amends GS 55-4, (execution of corporate documents for filing; f filing, recording and effectiveness), GS 55A-4 (execution of non-profit corporate documents for filing; filing, recording and effectiveness), GS 59-2 (formation of limited partnership), GS 66-68 (certificate of assumed name to be filed), and other related statutes (banks, industrial banks, building and loan associations, credit unions, marketing associations, electric membership corporations, etc.) to establish office of register of deeds as filing office for all corporate and related documents now required to be filed with CSC and to transfer duties relating thereto from CSC to register of deeds. Sets register's fee for recording certificates or amendments of corporations, limited partnerships and associations at $2 for first page (not exceeding 14" in length) plus $1 for each additional page or fraction, including certificate of Secretary of State (now, general law sets clerk's fee at $3 for in county documents and for out of county documents, $3 for first four pages plus 75¢ for each additional page or fraction). Requires all existing records kept by CSC pursuant to amended statutes to be transferred to office of register of deeds. Effective January 1, 1968.] To Courts and Judicial Districts.

LOCAL BILLS INTRODUCED

SB 455 - (Haywood) Introduced by Buchanan

"Authorizing the establishment of a town liquor control store in the Town of Waynesville, Haywood County, upon a vote of the people and providing for the allocation of net proceeds from the operation of such store." [Provides that Board of Aldermen of Waynesville may on own motion, or must within 60 days of receipt of petition of 15% of registered and qualified voters of town (but not on or within 30 days of general or primary regular election) order election on question indicated in title. Board shall give at least 30 day's notice of election before opening registration books which are to remain open for period required for regular elections; no new registration necessary; all qualified voters registered prior to registration for election and all those registered for election are eligible to vote. Provides form of ballot. If subsequent election shows voters to be against ABC stores, ABC Board is to close immediately and dispose of all alcoholic beverages and property in its control, converting same to cash and turning cash over to town treasurer; all laws relating to sale of intoxicating beverages within town before initial election to resume force until later election favors establishment of such stores. No election to be called in town under this act within two years of last election called hereunder. If operation of ABC store is authorized under Act, mayor and aldermen to create and appoint 3-member town ABC board to serve 3-year staggered terms; chairman of initial board to serve three years and other two members to serve two and one years with all successors to same 3-year terms. ABC board shall have powers and duties imposed by GS 18-45 (powers and duties of county boards) except for GS 18-45(15) (profit expenditures), and be subject to powers of State Board of Alcoholic Beverage Control under GS 18-39, and operation shall be in accordance with Ch. 18, Article 3 (ABC Act of 1937). Provides that net profits determined by quarterly audit remaining after payment of salaries, costs, and operating expenses and after retaining sufficient working capital are to be distributed by ABC board as follows: 10% to town ABC officers (who are to have county-wide jurisdiction with same powers and authority within county as other peace officers); 5% to town for education as to effects of alcohol and for rehabilitation of alcoholics in discretion of aldermen; 64% of remainder to town (of that amount, 15% for industrial and community development, 5% for Haywood County Public Library, 5% for Waynesville Recreation Commission, 75% to town General Fund for any public or governmental purpose for which tax or nontax revenues may be spent), and remaining 36% to General Fund of Haywood County to be divided between county school board for school fund and county for any general fund for which county may expend tax or nontax revenues.] To Propositions and Grievances.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 69 - Congress Dist. Mills-Griffin. Postponed to 5/17.
SB 289 - Local jail law revision. Postponed to 5/16.
SR 290 - (Joint Resolution) Jail study commission. Postponed to 5/16.
SB 357 - Self-liquidating projects (1). Passed second reading.
SB 358 - Self-liquidating projects (2). Amendment adopted adding provision increasing "unit cost" of faculty housing from $14,000 to amount not to exceed $17,500 and adds following amendment to Ch. 944 of 1965 session laws (present provisions in parenthesis):

"Western Carolina College

29A. 24 Faculty Housing

Units	Building 24 @ $17,500 ($14,000)	$420,000	($420,000)
	Equipment	9,000	(9,000)
		$429,000	($429,000)
	Less Self-Liquidating	$429,000	($429,000)

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SB 359 - Self-liquidating projects (3). Passed second reading.
SB 407 - Charity solicitation reports. Postponed to 5/16.
SB 436 - Bedding stamp fee. Postponed to 5/16.

HB 298 - Industrial development bonds. Rec'd from H; passed second reading.
HB 394 - Drunk driving jail term. Postponed to 5/16.
HB 420 - Dental hygienist fees. Passed third reading.
HB 467 - Veteran's Comm'n scholarships. Rec'd from H; sent to Veterans & Military Affairs.
HB 565 - Boiler inspector fees. Passed third reading.
HB 609 - Interfamilial actions in State. Rec'd from H; sent to Judiciary 2.
HB 618 - Domestic relations warrants. Rec'd from H; sent to Judiciary 2.
HB 717 - Pistol hunting rabbit, squirrel. Rec'd from H; sent to Local Government.
HB 789 - State condemantion procedure. Postponed to 5/16.
HB 847 - Sanitary district board pay. Rec'd from H; sent to Salaries & Fees.

LOCAL BILLS

HB 642 - (Hyde) Land from Sound. Received from H; sent to Judiciary 2.
HB 658 - (Haywood) Sheriff deputy salaries. Passed.
HB 659 - (Haywood) Full-time chairmen's salaries. Passed.
HB 660 - (Haywood) County jailer. Passed.
HB 661 - (Haywood) Tax collector salary. Passed.
HB 708 - (Harnett) Building inspectors, garbage. Passed third reading.
HB 714 - (Mecklenburg) Cornelius officals comp. Passed.
HB 746 - (Northampton) Commissioners' salaries. Passed.
HB 762 - (Vance) Officals pay. Passed.
HB 780 - (Lencir) Kinston city school unit. Passed third reading.
HB 788 - (Alexander) Watershed tax authority. Passed third reading.
HB 790 - (Chatham) Goldston officals salaries. Passed.
HB 813 - (Haywood) Commissioners' pay raise. Passed.
HB 844 - (Graham) Watershed improvement program. Passed third reading.
HB 872 - (Pasquotank) ABC store profits repeal. Passed.
HB 873 - (Pasquotank) County airport interest transfer. Passed.
HB 896 - (Durham) Durham condemnation. Passed third reading.
HB 909 - (Warren) School board compensation. Passed.
HB 910 - (Franklin) Officials' pay. Passed.

Next session of Senate: 12 noon, Tuesday, May 16, 1967.

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BULLETIN NO. 69

Monday, May 15, 1967

Note: The House convened at 9:00 a.m., Saturday, May 13, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 983 - Introduced by McKnight
"To extend the safety belts and anchorage requirements to trucks of a weight of one ton capacity or less." [Amends GS 20-135.2(c) to extend front seat safety belt and anchorage requirements of section to trucks of one ton capacity or less manufactured and sold in North Carolina after January 1, 1968 (now, applies only to passenger vehicles).] To Highway Safety.

HB 984 - Introduced by Falls
"Appropriating funds to the North Carolina Cotton Quality Improvement Committee to improve the marketability of and increase the income from cotton produced in North Carolina." [As title indicates, appropriates from General Fund $5,000 for each of fiscal years 1967-68 and 1968-69, to be used by named Committee in cooperation with NC Dep't of Agriculture to purchase materials, particularly tags and placards, to increase cotton income. Effective July 1, 1967.] To Appropriations.

HB 985 - Introduced by Messer and McGlamery
"To amend Chapter 108 of the General Statutes to eliminate the lien and claim against welfare recipients and their property." [Adds new GS 108-30.4 providing that provisions of GS 108-30.1, -30.2 and -30.3 shall not apply to any old age assistance applications or payments made after July 1, 1967, and that no actions to enforce liens or claims based on cited sections may be brought after July 1, 1970; failure to bring action bars recovery and extinguishes lien and claim. (Cited sections establish lien on real property of old age recipients for amount of assistance and provide for actions to enforce lien and for disposition of proceeds.) Adds new GS 108-73.12e making similar provision to eliminate the lien provisions applying to recipients of aid to the permanently and totally disabled established by GS 108-73.12a, -73.12b and -73.12c. Effective July 1, 1967.] To Public Welfare.

HB 986 - Introduced by Messer and others
"To appropriate $200,000 from the General Fund of North Carolina to the State Board of Education, Department of Community Colleges, to provide equipment for a regional health education center at Asheville-Buncombe Technical Institute." [Appropriates $200,000 for fiscal years 1967-69, as title indicates, to be matched with $400,000 from Appalachia funds and $400,000 from other federal sources. Authorizes State Board of Education to establish named center, pursuant to Board's policies and GS Chapters 115 and 115A.] To Appropriations.

HB 987 - Introduced by Ramsey of Madison
"To appoint Justices of the Peace for the several counties of North Carolina." [Appoints justices of the peace for two-year terms beginning July 1, 1967, except that upon establishment of a district court therein pursuant to Judicial Department Act of 1965, SL 1965, Ch. 310, term of every JP in judicial districts nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 15, 18, 20, 21, 24, 26, 27 and 29 to expire on first Monday in December, 1968. Appointed from specified townships in following counties: Alamance, Alexander, Alleghany, Anson, Ashe, Avery, Bertie, Bladen, Brunswick, Buncombe, Cabarrus, Caswell, Chatham, Cleveland, Columbus, Craven, Davidson, Davie, Franklin,

Gaston, Granville, Halifax, Harnett, Hertford, Hyde, Iredell, Lee, Lincoln, Madison, Martin, Mitchell, Montgomery, Nash, Northampton, Onslow, Pamlico, Pender, Person, Polk, Randolph, Richmond, Rowan, Sampson, Stanly, Transylvania, Tyrrell, Union, Vance, Wake, Warren, Washington, Watauga, Wilson, Yancey.] To Justices of the Peace.

HB 988 - Introduced by Elliott

"To provide for notice payments upon judgments." [Amends GS 1-239 (payment of judgments to clerks of court, etc.,) by adding new subsection providing that upon receipt of any payment of money upon judgment, clerk of superior court to give immediate notice to attorney of record for party in whose favor judgment was rendered, or if no attorney of record, to party. Provides that any other official of any court receiving money payment upon judgment to give notice in same manner.] To Judiciary 2.

HB 989 - Introduced by Gunn

"To make certain appropriations for increase of salaries of superintendents, teachers and other personnel of the public school system." [Appropriates $6,536,785 from General Fund for fiscal year 1967-68 and $11,531,228 for fiscal year 1968-69 to State Board of Education to increase salaries of superintendents, teachers, and other public school personnel. Monies to be dispursed as Board deems proper but as close as possible to following standards. A. Instructional Personnel: (1) superintendents and assistant superintendents-5% & 10% over present schedule; (2) classroom teachers-10% & 20% over present schedule; (3) classified principals-5% & 10% over present schedule; and (4) supervisors -5% & 10% over present schedule. B. Non-Instructional Personnel: (1) clerical assistants in superintendents' offices, property and cost clerks, attendance counselors, clerical assistants in schools-5% & 10% over present allotment formula; (2) janitors and maids - extend employment from 9-1/2 to 10 months @ 76% state support and 5% and 10% increase for employees at or above minimum wage based on 76% state support; (3) bus drivers - if student drivers are continued, $30 to $40 per month increase; and (4) mechanics-5% & 10% over present schedule.] To Appropriations.

HB 990 - Introduced by Exum and Edwards by request

"To amend G.S. 58-251.2 relating to renewability of individual and blanket hospitalization and accident and health insurance policies." [Rewrites GS 58-251.2 as follows: (1) Every individual or blanket family hospitalization policy, accident and health policy other than noncancellable, guaranteed renewable or nonrenewable policies when applied for in State and issued to NC resident after January 1, 1956 to include provision of renewability approved by Commissioner of Insurance. (Adds guaranteed renewable policies to those excluded and fails to mention group, blanket and franchise policies among those included; requires approval of Commissioner of Insurance for wording of renewability clause.) (2) Renewability clause provides that policy renewable at option of insured unless sufficient notice of nonrenewal given to insured in writing by insurer or mailed to his last address as shown by company records. Sufficient notice to be 30 days prior to first anniversary of effective date of policy or if policy has lapsed and been reinstated prior to first anniversary of effective date of last reinstatement. If coverage continuous beyond applicable anniversary date, sufficient notice to be number of whole calendar months most nearly equivalent to 1/4 number of whole calendar months of continuous coverage from first anniversary of effective date of policy or if policy has lapsed and been reinstated from first anniversary of effective date of last reinstatement to date of mailing of such notice, provided no period of required notice to exceed two years. (Now, policy renewable at option of policyholder unless sufficient notice of non-renewal given policyholder in writing by insurer. Sufficient notice during first year of any policy or during first year following lapse and reinstatement to be 30 days prior to premium date. After one continuous year of coverage, notice to be number of full months most nearly equivalent to 1/4 number of months of continuous coverage from first anniversary of date of issue of reinstatement, to date of mailing of notice, provided no period of required notice to exceed two years.) (3) Provides

that no insurance company shall have right to unilaterally restrict coverage, reduce benefits or increase rates on any such policy upon which notice of renewal given, with requirements of section regarding notice to insured not to apply to any policy upon which notice of nonrenewal has been given because of change of occupation of insured to one classified by insurance company as uninsurable, nor to an increase in rate due to change of occupation of insured to a more hazardous occupation. (Now, no insurance company issuing individual or blanket family hospitalization or accident and health policies to have right to unilaterally restrict coverage, reduce benefits or increase rates upon any contract of such insurance subject to provisions of existing section.) Effective July 1, 1963.] To Insurance.

HB 991 - Introduced by Ragsdale

"To grant limited regulatory authority to the North Carolina Board of Water Resources regarding the use of water and for related purposes." [Enacts "Water Use Act of 1967" providing as follows: (1) Authorizes State Board of Water Resources or its successor to declare and delineate from time to time "capacity water use areas", where use of ground and/or surface water requires coordination and regulation for protection of interests of residents or the public interest -- areas where, in Board judgment, aggregate uses of ground and/or surface water have developed or threaten to develop to a degree requiring coordination and regulation, or, (threaten to) exceed renewal or replenishment of such waters. (2) Spells out procedures for declaration of capacity use areas, including investigation by Department of Water Resources, and holding of hearings on notice by Board. If a capacity use area is declared Dep't shall propose and Board may adopt, after notice and hearings, regulations concerning surface and/or ground waters, which may include: water use reporting requirements; limitation of use to riparian (surface) or overlying (ground) property; with respect to ground water only--well spacing controls, and regulations of pumping levels or rates; with respect to ground and/or surface waters--provisions concerning timing of withdrawals, protection or abatement against salt water encroachment, and protection or abatement against unreasonable adverse effects on other water users in the area (including public users). (3) Requires permits from Board for withdrawing, obtaining or utilizing ground and/or surface waters, as the case may be, in excess of 100,000 gallons per day. Permits to be issued for "non-consumptive use" without a hearing, with applications therefor to set forth water use information required by Board. (Defines "non-consumptive use" as use of water from a stream so as to return it to stream at or near point of withdrawal or use without substantial impairment in quality or diminution in quantity). Permits for "consumptive uses", i.e., all uses other than non-consumptive, may include such conditions as Board deems necessary to implement regulations adopted for the capacity use area and may be denied if the use or proposed use is found contrary to public interest; Board may grant temporary permits not complying with all applicable requirements, and may revoke or modify permits upon notice. Detailed procedures prescribed for notices and hearings involving permits, and right of appeal is granted to water users from final orders or decisions under Act, pursuant to judicial review procedures of GS Ch. 143, Art. 33. (4) Provides details concerning duration of permits (not over: ten years, or duration of capacity use area, or reasonable amortization period for facilities); transfer of permits; and reporting of water use information. Provides that where applicant proves that he was withdrawing or using water prior to declaration of capacity use area, Board is to consider the extent to which such prior use was reasonably necessary to meet his needs, and to grant a permit meeting those reasonable needs prior to considering other demands. (5) Prescribes penalties for violations, procedures for maps or descriptions of boundaries, and rights of investigation and access to property by Dep't, all generally similar to corresponding provisions of State Stream Sanitation Law (as are notice and hearing requirements). Also authorizes Director of Dep't to institute civil actions to enjoin violations of Act. Authorizes Board to delegate water management or regulation functions to local agencies pursuant to agreement with Board. Authorizes Board to adopt regulations to implement Act. Authorizes combining of duplicating provisions by Attorney General in codifying this and related legislation in GS Ch. 143, Art. 21. Identical with SB 465.] To Water Resources and Control.

HB 992 - Introduced by Ragsdale

"To grant the North Carolina Board of Water Resources the authority, within certain prescribed limitations, to administer the law relating to well construction." [Effective July 1, 1967 enacts the North Carolina Well Construction Act, providing for regulation of certain aspects of well construction by State Board of Water Resources as follows: (1) Authorizes Board after notice and hearings to adopt regulations governing location, construction, repair and abandonment of water wells, and installation and repair of pumping equipment. (2) Requires permission from Board for construction of new water well or well system with design capacity in excess of 100,000 gallons per day, and of any new well in an area where Board determines such permission necessary to protect ground water resources and public health, welfare and safety. (Defines "well" as any excavation to locate, test or withdraw ground water or to evaluate, test, develop, drain or recharge any ground water reservoir, or that may control or divert water from or into any aquifer.) (3) Prescribes requirements concerning: reports of construction or abandonment of wells; prevention of contamination of ground water supply by wells; values and casings on artesian wells to close off flow; access ports on water supply wells and other wells specified by Board; casing of strata containing mineralized water, and of water bearing zones known to contain polluted water; testing of water supply wells for capacity; sterilization of water supply wells upon completion of construction; sealing of wells temporarily removed from service; and filling,plugging or sealing of all wells permanently abandoned. Prohibits use of wells for recharge, injection or disposal purposes without permission of Board. (4) Prescribes notice and hearing procedures, penalties for violations of Act or regulations, and rights of investigation and access to property by Department, all generally similar to corresponding provisions of State Stream Sanitation Law. Also authorizes Director of Department to institute civil actions to enjoin violations of Act. Provides that State or municipal laws or regulations establishing standards affording greater protection to public welfare, health, safety and ground water resources shall supersede provisions of this Act; Act not to conflict with State Board of Health laws and regulations concerning public health, wells and ground water supplies. Identical with SB 466.] To Water Resources and Control.

HB 993 - Introduced by Ragsdale

"To provide for certification and inspection of certain dams, under the supervision of the North Carolina Department of Water Resources." [Identical with SB 463, digested in the Senate section of today's bulletin.] To Water Resources and Control.

HB 994 - Introduced by Ragsdale

"To amend Article 6 of Chapter 87 of the General Statutes of North Carolina, relating to well contractors." [Effective July 1, 1967 repeals GS 87-82 exempting 70 named counties from provisions of cited article relating to licensing of water well contractors, and transfers licensing board for program to State Department of Water Resources (now, an independent board). Renames licensing board as Board of Well Contractor Examiners (now, Board of Water Well Contractor Examiners). Amends GS 87-70 to provide for three members of Board to be licensed well contractors or drillers (now, four must be water well contractors) with one residing in each major geographic region; and one member to be a water-works engineer or operator experienced in ground-water development and well operation (new); one each to be an employee of Water Resources Dep't, employee of State Board of Health, and to represent public at large (no change). Provides for one well contractor and the water-works operator to be appointed for 1-year terms; one well contractor and public member, for 2-year terms; and others, for 3-year terms; successors to be appointed for 3-year terms. Amends GS 87-77 to increase rig permit fee to $25 (now, $15). Adds new section providing that any person residing in a county made subject to licensing article by this Act, who within six months after ratification of Act submits to Board satisfactory evidence under oath that he was performing functions of a well contractor, shall be licensed as a well contractor upon payment of required fee.] To Water Resources and Control.

HB 995 - Introduced by Ragsdale

"To amend the Well Driller Registration Act as set forth in Article 38 of Chapter 143 of the North Carolina General Statutes." [Amends GS 143-355(f) to provide that samples of well cuttings shall be furnished to Department of Water Resources from all wells constructed by a driller when such samples requested by Dep't (now, when requested specifically for any well by Dep't); omits present specifications concerning mailing and size of packages; provides that results of Departmental analysis shall not be furnished to anyone other than property owner until more than one month (now, one year) after report furnished to owner. Amends GS 143-355(g) to require that reports to Dep't on wells be furnished within 30 days of completion of each well (now, on specific request of Dep't); adds requirement for reports to Dep't also on tests made on each well. Amends GS 143-355(e) to provide that annual registration required by subsection (of well drillers using power machinery) shall be made with Dep't during month of January (now, month of January or of July). Effective January 1, 1968.] To Water Resources and Control.

HB 996 - Introduced by Ragsdale

"To authorize the North Carolina Board of Water Resources to establish a system of reporting water use information." [Identical with SB 459, digested in the Senate section of today's bulletin.] To Water Resources and Control.

HB 997 - Introduced by Ragsdale

"To authorize the North Carolina Department of Water Resources to assist, coordinate, and otherwise participate with local levels of government in a program of flood plain management." [Amends GS 143-355(b) (functions of State Department of Water Resources) to require Dep't to plan and execute long range flood plain management program for promotion of public health, safety and welfare; directs Dep't to provide guidance and assistance to local governments to effectuate flood plain management programs; and to pursue educational program, to include in biennial report statement of flood damages, location where management desirable, and suggested legislation. Amends GS 139-35(c) by adding following additional criteria that watershed work plans must meet in order to receive approval of State Board of Water Resources; plan must determine whether a program of flood plain management in connection with the proposed works is in public interest, and Board may withhold approval until satisfactory measures are incorporated. Amends GS 139-35(c) by authorizing Board to publish flood plain management criteria to be followed by persons, district, or other agencies preparing watershed work plans. Identical with SB 462.] To Water Resources and Control.

HB 998 - Introduced by Ragsdale

"To amend Article 38 of Chapter 143 of the North Carolina General Statutes relating to the powers and duties of the Board of Water Resources." [Amends GS 143-354 (powers of Board of Water Resources) by adding provisions: (1) that Board shall investigate long-range needs of counties and municipalities and other local governments for water supply storage available in Federal projects; (2) authorizing Board to provide to federal agencies required assurances, subject to availability of appropriations or applicable funds or assurances from local governments, of non-federal cooperation for water supply storage and other Congressionally-authorized purposes in Federal projects; and (3) authorizing Board to assign to any county or municipality or other local government needing water supply storage in federal projects any interest held by State in such storage upon assumption of repayment obligation or compensation to State by local government. Board also authorized to re-assign any interests in such storage held by local governments if investigation of needs so indicates. Amends GS 143-355 to provide that Dep't shall request NC Congressional Delegation to apply to Congress, for appropriations for protecting and improving any harbor or waterway in State and for accomplishing needed flood control, shore erosion prevention and water resources development for water supply, water quality control and other purposes.

(Now, NC Delegation to make such application only to protect and improve any harbor or waterway in State and to accomplish needed flood control and shore-erosion prevention.) Amends GS 143-355(b)(7) to provide for Dep't to cooperate with federal and interstate agencies in planning and developing water resource projects for navigation, flood control, hurricane protection, shore erosion prevention, and other purposes. (Now, limited to planning and developing navigation, flood-control, hurricane-protection, and shore-erosion-prevention projects.) Identical with SB 464.] To Water Resources and Control.

HB 1001 - Introduced by McGlamery

"To appropriate funds for the construction and operation of a live stock and poultry disease diagnostic laboratory to serve Western North Carolina." [Appropriates from General Fund to State Dep't of Agriculture $50,000 for 1967-68 fiscal year for land purchase, building and equipping of cited facility. Also appropriates $2,000 for 1967-68 and $5,000 for 1968-69 for salaries, supplies, telephone, travel and related expenses. Effective July 1, 1967.] To Appropriations.

HB 1003 - Introduced by Tart and others

"Relative to the term of office of superintendents of county and city public schools." [Amends GS 115-39 to authorize appointment of cited officials for either two or four year terms (now, appointments are for two year terms).] To Education.

HB 1004 - Introduced by Forbes

"To provide that no insurance company licensed to do an insurance business in the State of North Carolina shall fail to renew existing policies of motor vehicle liability insurance solely because of the age of the insured." [Adds new GS 20-310.2 providing that no insurance company licensed in State engaged in writing motor vehicle liability insurance shall fail to renew any existing policy of insurance solely because insured is 65 or older. Provides that if Insurance Commissioner believes practice to exist he shall notify suspected company that it may be in violation of this section and may call a hearing to determine whether such company actually has refused to renew policies solely because applicant is 65 or older. If Commissioner determines that such practices exist he shall issue order to company that they cease and desist from such activity, and if company ignores order and continues to refuse renewing policies on said grounds he shall impose fine not to exceed $1,000 for each separate violation. Company to have right to appeal order or decision of Commissioner to Wake County Superior Court. Effective July 1, 1967.] To Insurance.

HB 1005 - Introduced by Forbes

"To employ registered North Carolina contract or common carriers, whenever practicable, for the delivery of any products bought or purchased with State funds being shipped from out of the state into North Carolina." [Requires State and its agencies purchasing foodstuffs, materials, equipment, and other supplies out of state to attempt to obtain or require preference for contract of common carriers registered in state; preference not to result in sacrifice or loss in price cost, or quality of services.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 999 - (Harnett) Introduced by Staton and Love

"Authorizing the establishment of a town liquor control store in the Town of Coats, Harnett County, upon a vote of the people, and providing for the allocation of the net proceeds from the operation of such store." [Provides that governing body of Coats may on own motion, or must within 60 days of receipt of petition of 15% of registered and qualified voters of town (but not on or within 30 days of regular general or primary election), order election on question indicated in title. Body shall give at least 30 days notice of election before opening

registration books which are to remain open for eight days before such election; no new registration necessary; all qualified voters registered prior to registration for election and all those registered for election are eligible to vote. Provides form of ballot. If subsequent election, called on petition of 15% of qualified, registered voters of town, shows voters to be against ABC store, ABC board is within three months to close and dispose of all alcoholic beverages and property in its control, converting same to cash and turning cash over to town treasurer; all laws relating to sale of intoxicating beverages within town before initial election to resume force until later election favors establishment of such stores. If operation of ABC stores is authorized under Act, mayor and body to appoint 3-member town ABC board; chairman of initial board to serve three years and other two members to serve two and one years with all successors to serve 3-year terms. ABC board to report monthly to town board and books to be open for inspection by same. Town ABC board to have powers and duties of GS 18-45 (powers and duties of county board) and be subject to powers and authority of State Board of Alcoholic Control per GS 18-39 and subject to GS Ch. 18, Art. 3 (ABC Act of 1937). Net profits, as determined by quarterly audit, shall be distributed and used as follows: 25% to Harnett County Public Library; 75% to general fund of Coats for any proper governmental purpose including up to 25% of it for recreational programs in town (of this 75%, amount equal to 10% of net profits may be used by town ABC board for educational programs as to effect of alcoholic beverages and for rehabilitation of alcoholics. Whenever person becomes alcohol inebriate and has been committed by Harnett County Court Clerk and person is indigent so that expenses of care and cure are valid charge against county, town ABC board shall pay such charges except when agreement with CSC provides that ABC Board shall not so pay prior to commitment. Authorizes town ABC board to participate in and to make contributions to board approved public and private organizations with approved alcoholic rehabilitation. Nothing to be construed to limit board's discretion in establishing its educational and rehabilitation programs within 10% range.] To Propositions and Grievances.

HB 1000 - (Macon, Clay) Introduced by McGlamery

"To amend Chapter 515, Session Laws of 1965, protecting wild or feral hogs in Macon and Clay Counties." [As title indicates; declares wild or feral hogs to be game animals and makes it unlawful to take such animals between effective date of act and October 15, 1969. (Now, unlawful to take such animals between effective date of SL 1965, Ch. 515 and October 15, 1967.) Provides that beginning in 1969 (now, 1967) open season for taking such hogs to be from October 15 to January 1, and that bag limit to be one per day, two per season and two in possession (unchanged). Makes act applicable only to Macon and Clay Counties. (Deletes Jackson County from application of act).] To Wildlife Resources.

HB 1002 - (Jackson, Swain, Transylvania) Introduced by Taylor

"To amend Sections 105-306(26); 105-308; 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of County Commissioners of Jackson, Swain and Transylvania Counties to prescribe regulations relating to the listing of property for taxation in said counties, and to authorize the division, or combining of townships for tax listing purposes." [As title indicates, authorizes respective boards of county comm'rs (1) to prescribe regulations as to type and form of oath, affirmation or declaration and manner of administering oath to those listing property for taxation in the three counties, and (2) to prescribe regulations relating to listing of property for taxation by agents and tax lists submitted by mail. Provides that if property and poll listed by taxpayer or agent by mail, affixing signature to oath or affirmation to constitute taking oath prescribed in GS 105-308 or GS 105-310. Authorizes boards of county comm'rs to divide, or combine townships in each county for tax listing purposes; tax supervisor of each county, with approval of respective board of comm'rs, to appoint one or more list takers for each unit combined or divided. Makes GS 105-306(26) (oath of taxpayer as required by tax list), GS 105-308 (oath of taxpayer set out), GS 105-309 (listing by agents) and GS 105-310 (listing by mail) applicable to cited counties except as they are inconsistent with regulations relating to oaths, listing of taxes by mail, by agents, etc., pursuant to authority

contained in Act. Makes GS 105-307 (making it a misdemeanor to fail to list properly property for ad valorem tax purposes) applicable to cited counties. Provides, that if boards of county comm'rs adopt regulations pursuant to act, listing in said counties must be in accordance with General Statutes as amended by Comm'rs' regulations with GS 105-307 to apply to such regulations as well as to provisions of General Statutes not inconsistent with regulations of respective county commissioners.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 111 - Driver's license photos, as amended in Senate 4/3. Floor amendment adopted specifying that photographs to be in color. Passed third reading.
SB 260 - Washington statue. Received from Senate; sent to State Government.
SR 268 - (Joint Resolution) Boat capacity marking. Received from Senate; sent to Wildlife Resources.
SB 402 - Amends SB 181. Received from Senate; sent to Agriculture.

HB 118 - Clergymens' privilege. Passed third reading.
HB 251 - Uniform Commercial Code changes. Passed second reading.
HB 546 - Burial ass'n ass'm't & bonds, (House committee substitute, 5/10). Passed third reading.
HB 557 - School consolidations. Postponed to May 16.
HB 577 - Sub-pint liquor, (House committee substitute, 5/10). Passed second and third readings.
HB 587 - Bang's disease, as amended in Senate 5/12. Rec'd for concurrence in Senate amendment.
HB 682 - Wrongful death damages. Amended to limit services to those of pecuniary value and to substitute "competent evidence" for "evidence suitable to the decedent's circumstances." Floor amendment adopted to specify that decedents services to others includes gratuitous as well as obligatory and voluntary. Passed second reading.
HB 857 - UNC Enterprises bonds. Passed third reading.

LOCAL BILLS

SB 298 - (Bladen) Library tax levy. Passed.

HB 855 - (Lee) Sanford Charter revision. Floor amendments adopted which: (1) make technical changes; (2) deletes Sec. 9.1 (b) which gives city police force same powers as sheriffs, authorizes arrest without process, authorizes incarceration between hours of 7:00 p.m. and sunrise prior to hearing before judicial official, and authorizes confinement of drunks in jail until sober; and (3) rewrites Section 15.1 and 15.2 as follows: provides that any subdivision control ordinance enacted pursuant to general law may provide for more orderly development of subdivision within subdivision control jurisdiction of city by requiring construction of community service facilities, including water lines, sewer lines, street paving, curbing and guttering and street drainage facilities in accord with board policies; to assure compliance ordinance may require posting of bond or other method guaranteeing compliance. Authorizes board to make effective and enforce in territory 1/2 mile outside city limits all ordinances and codes regulating construction and repair of buildings, and related matters. Enforcement powers to include powers to require appropriate permits prior to construction or alteration.

Next session of House: 11:30 a.m., Tuesday, May 16, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 70

Tuesday, May 16, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 472 - Introduced by Whitehurst and others

"To amend Section 2, Article II, of the North Carolina Constitution, so as to provide for annual sessions of the General Assembly." [Provides for submission in next general election to voters of amendment to cited section of Constitution (time of Assembly) providing that General Assembly convene annually on first Wednesday after first Monday in February (now, biennially on first Wednesday after first Monday in February next following their election) unless a different date is provided by law. If majority of votes cast favor such amendment, Governor is to certify it to Secretary of State for enrollment.] To Constitution.

SB 473 - Introduced by Alford by request

"Amending G.S. 58-262.2, relating to the term of office of the members of the North Carolina Health Insurance Advisory Board so as to provide staggered terms of office for such members." [Amends cited section (membership of Health Insurance Advisory Board) to provide that three public and two industry members shall be appointed for original 2-year terms commencing Sept. 15, 1967, and two public and two industry members appointed for 4-year terms commencing Sept. 15, 1967. All appointments thereafter shall be for 4-year terms with no member to serve more than two consecutive 4-year terms (now, all terms are two years). Applicable to terms of office commencing Sept. 15, 1967, and thereafter. Identical with HB 1014.] To Insurance.

SB 474 - Introduced by Alford by request

"Amending General Statute 58-56 and General Statute 105-88 relating to the licenses for insurance premium finance companies and prescribing the applicable fees therefor." [Rewrites GS 58-56(e) to provide for issuance of type "A" and type "B" licenses to insurance premium finance companies; type "A" for companies limited to financing insurance premiums of one insurance agent or agency with fee of $200, and type "B" for companies whose insurance premium financing is not limited to only one agent or agencies with fee of $600 (now, $200 fee for each office where insurance premium financing is conducted). Branch office licenses may be issued to either "A" or "B" type licensed business; fee for branch office license to be $50. Amends GS 105-88(b) to exempt from license tax imposed by section insurance premium finance companies licensed under GS Ch. 58, Art. 4. Effective July 1, 1967.] To Insurance.

SB 475 - Introduced by Alford by request

"To amend General Statute 58-59(c) relating to insurance premium finance companies." [Amends cited subsection (computation of service charges by companies indicated in title) to provide that such charges may be rounded off to the nearest dollar (now, "are to" be so rounded off).] To Insurance.

SB 476 - Introduced by Alford by request

To provide for the purchase of automobile insurance by minors and to provide that such purchase shall be as binding as if said minor had attained the age of twenty-one years." [Adds new GS 20-309.1 to GS Ch. 20, Art. 13 (Vehicle Financial Responsibility Act of 1957) providing that any minor 16 years or older is competent to enter agreement to finance auto insurance, to execute power of attorney in connection therewith, or to execute such power in connection with application for insurance with Assigned Risk Plan, as if he had attained age of 21.] To Insurance.

SB 477 - Introduced by Alford by request

"To amend General Statute 58-60 (5) relating to insurance premium finance companies." [Deletes from cited subsection (return of premium from cancelled insurance policy) the agent of the insured as one to whose order the excess of a returned premium over amount due to insurance premium finance company shall be paid (now, such excess is paid to order of "insured and agent").] To Insurance.

SB 478 - Introduced by Bailey and others

"To amend Chapter 18 of the General Statutes of North Carolina relating to the collection of taxes on malt beverages and wines." [Identical with HB 803, digested in the House section of Bulletin No. 58 at page 507.] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

SB 479 - (Nash) Introduced by Alford

"To amend Article 20 of Chapter 153 of the General Statutes, relating to zoning authority of county commissioners." [Amends GS 153-266.10(5) (authority of county commissioners to regulate location and use of buildings and land) to specify that county commissioners of Nash may regulate location and use of buildings structures, and land for mining and quarrying as well as for other presently listed purposes.] To Local Government.

SENATE CALENDAR ACTION
PUBLIC BILLS

SB 111 - Driver's license photos, as amended in Senate 4/3 and in House 5/15. Received for concurrence in House amendments; concurred.

SB 134 - Industrial development bonds, as amended in Senate 5/11. Postponed to 5/17.

SB 289 - Local jail law revision. Amendments adopted making clarifying change and deleting $250,000 appropriation to Department of Public Welfare for various jail assistance programs. Floor amendment adopted making clarifying changes and providing that authority of county commissioners to appoint jailer shall be "by and with the consent of the sheriff." Passed second and third readings.

SR 290 - (Joint Resolution) Jail Study Commission. Floor amendment adopted adding to the Commission the president or representative of Medical Society of North Carolina. Passed second and third readings.

SB 328 - 4th Dist. Ct. Reporter pay. Reported favorably.

SB 357 - Self-liquidating projects (1). Passed third reading.

SB 358 - Self-liquidating projects (2), as amended in Senate 5/15. Passed second reading.

SB 359 - Self-liquidating projects (3). Passed third reading.

SB 403 - Adoption residence requirements. Passed second and third readings.

SB 404 - Adoption consent. Floor amendments adopted providing that clerk taking adoption consent shall send copy of same to public welfare director of county of residence of person to whom consent given and that he may send copy to other county welfare directors (required copy to former is new) and making clarifying change. Passed second and third readings.

SB 405 - Welfare Department adoption. Floor amendment adopted providing that care costs shall be paid by county welfare department in custody "prior to placement for adoption" (adds quoted words). Passed second and third readings.
SB 436 - Bedding stamp fee. Passed third reading 5/15.
SB 447 - State salvage interests. Reported favorably.
HB 118 - Clergymen's privilege. Received from House; sent to Judiciary 2.
HB 298 - Industrial development bonds, as amended in House 5/11. Reconsidered vote be which passed second reading; passed second reading.
HB 363 - Post-conviction amendments. Reported favorably.
HB 394 - Drunk driving jail term. Passed third reading.
HB 546 - Burial ass'n ass'm't and bonds. Received from House; sent to State Government.
HB 577 - Sub-pint liquor (House Committee Substitute 5/10) . Received from House; sent to Propositions and Grievances.
HB 789 - State condemnation procedure. Passed second and third readings.
HB 857 - UNC Enterprises bonds. Received from House; sent to Finance.

LOCAL BILLS

HB 1010 - (Richmond) School consolidation II. Received from House; sent to Education.

BILLS RATIFIED

SB 139 - (Camden) Deer shooting prohibition, as amended in Senate 5/11. [Ch. 441]
SB 279 - Special birth certificate. [Ch. 442]
SB 298 - (Bladen) Library tax levy. [Ch. 488]

HB 197 - Indexing deeds of trust. [Ch. 443]
HB 364 - Non commercial clamming. [Ch. 444]
HB 390 - Hit-run jail term, as amended in House 4/11. [Ch. 445]
HB 391 - Racer owner jail term. [Ch. 446]
HB 392 - License revoked driving jail. [Ch. 447]
HB 393 - School zone speeding jail term. [Ch. 448]
HB 395 - Altering auto numbers jail, as amended in Senate 5/11. [Ch. 449]
HB 406 - Municipal utility mutual aid. [Ch. 450]
HB 418 - Dental Board hearing. [Ch. 451]
HB 419 - Dental Board license revocation. [Ch. 452]
HB 420 - Dental hygienist fees. [Ch. 489]
HB 423 - Water heater labels. [Ch. 453]
HB 433 - (Polk) Tryon school unit. [Ch. 454]
HB 475 - (Guilford) Board of Education elections. [Ch. 455]
HB 496 - Officials subpoena information. [Ch. 456]
HB 535 - (Wilkes) School board compensation. [Ch. 457]
HB 565 - Boiler inspector fees. [Ch. 490]
HB 572 - (Beaufort) School District Comm. No. 3. [Ch. 458]
HB 583 - (Buncombe) Medical examiner. [Ch. 459]
HB 613 - (Dare) School property lease. [Ch. 460]
HB 614 - (Dare) School property conveyance. [Ch. 461]
HB 631 - County-water, sewer protection. [Ch. 462]
HB 658 - (Haywood) Sheriff and deputy salaries. [Ch. 491]
HB 659 - (Haywood) Full-time chairman's salary. [Ch. 492]
HB 660 - (Haywood) County jailer. [Ch. 493]
HB 661 - (Haywood) Tax collector salary. [Ch. 494]
HB 666 - (Cleveland) Board of education election. [Ch. 463]

HB 673 - County orthopedic funds. [Ch. 464]
HB 675 - (Dare) Board of education appointment. [Ch. 465]
HB 683 - County hospital lease. [Ch. 466]
HB 694 - (Wilkes) Clingman school property. [Ch. 467]
HB 698 - (Brunswick) Abolish nonpartisan school board. [Ch. 468]
HB 708 - (Harnett) Building inspectors, garbage. [Ch. 495]
HB 709 - (Harnett) CSC fund transfer. [Ch. 469]
HB 710 - (Lee, Harnett) Confiscated weapons. [Ch. 470]
HB 714 - (Mecklenburg) Cornelius officals comp. [Ch. 496]
HB 719 - (Rowan) County library tax. [Ch. 471]
HB 729 - (Dare) Fishing in beach areas, as amended in Senate 5/11. [Ch. 472]
HB 744 - (Northampton) Water-sewer assesments. [Ch. 473]
HB 746 - (Northampton) Commissioners salaries. [Ch. 497]
HB 757 - (Carteret) Parking on Bogue banks. [Ch. 474]
HB 762 - (Vance) Officials pay. [Ch. 498]
HB 777 - (Rutherford) Small watershed programs. [Ch. 475]
HB 780 - (Lenoir) Kinston city school unit. [Ch. 499]
HB 781 - (Alamance) Closing out-sales exemption. [Ch. 476]
HB 782 - (Alleghany) Prohibiting firearm discharge. [Ch. 477]
HB 784 - (Guilford) Special tax office expenses. [Ch. 478]
HB 788 - (Alexander) Watershed tax authority. [Ch. 500]
HB 790 - (Chatham) Goldston officials salaries. [Ch. 501]
HB 808 - (Alamance) Burlington housing appeals. [Ch. 479]
HB 813 - (Haywood) Commissioners pay raise. [Ch. 502]
HB 821 - (Buncombe) School bus use. [Ch. 480]
HB 842 - (Randolph) Asheboro charter revision. [Ch. 481]
HB 844 - (Graham) Watershed improvement program. [Ch. 503]
HB 848 - (Chatham) Uncollected taxes. [Ch. 482]
HB 852 - (Lee) Joint planning board. [Ch. 483]
HB 854 - (Lee) Minimum housing standards. [Ch. 484]
HB 860 - (Lincoln) Medical examiner. [Ch. 485]
HB 870 - (Watauga) Courthouse construction. [Ch. 486]
HB 871 - (Caldwell) Lenoir charter revised. [Ch. 487]
HB 872 - (Pasquotank) ABC store profits repealed. [Ch. 504]
HB 873 - (Pasquotank) Cnty. airport interest transfer. [Ch. 505]
HB 896 - (Durham) Durham condemnation. [Ch. 506]
HB 909 - (Warren) School board compensation. [Ch. 507]
HB 910 - (Franklin) Officials pay. [Ch. 508]

Next session of Senate: 12 noon, May 17, 1967.

BULLETIN NO. 70

Tuesday, May 16, 1967

Session: House -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1007 - Introduced by Vogler and others
"To amend the sales and use tax act for the purpose of exempting meals furnished employees in restaurants, cafes, cafeterias, hotel dining rooms and other similar places from said tax." [Amends GS 105-164.13 by adding prepared meals furnished employees in restaurants, cafes, cafeterias, hotel dining rooms and other similar places as part of their compensation to list of items exempted from sales and use tax on tangible personal property. Effective July 1, 1967.] To Finance.

HB 1009 - Introduced by Hunter of Richmond
"To amend the State Tort Claims Act to include students in the institution, schools and agencies under the control of the State Board of Juvenile Correction." [Amends GS 143-291 to provide that students in cited institutions shall be considered to be employees, involuntary servants or agents of the institutions in which they reside for purpose of making institution liable for their negligent and intentional acts pursuant to GS Ch. 143, Art. 13 (Tort Claims against State Department and Agencies). Retroactive, to include acts committed on and after Jan. 1, 1967. **Identical with** SB 458.] Sent to Judiciary 1.

HB 1011 - Introduced by Messer and others
"To require the meetings of public boards, commissions, councils and other public bodies to be open to the public." [Declares public policy of State favoring availability of full and complete information regarding affairs of government and official acts of these transacting public business and affairs. Provides that all meetings of every board, commission, council, committee, agency or other body authorized to exercise any legislative, regulatory, administrative, or other governmental function under NC laws, or supported in whole or in part by public funds shall be open; that every State citizen may attend same; that no session shall be private, executive, secret; and that all matters shall be put to vote, recorded and open to public inspection and copying; presiding officer to have power to preserve order and decorum at all meetings and prevent interference with proceedings by public. Provisions not to apply to meetings of Senate and House and their committees, nor to juries, and judicial and quasi-judicial bodies making decision in adjudicatory preceeding. Any member of body participating in meeting known by him to violate act shall be guilty of misdemeanor, and any ordinance, resolution, rule, regulation, motion or other action adopted at such meeting shall be void. Citizen denied access may compel compliance by mandamus, injunction, or other appropriate relief.] To Judiciary 1.

HB 1012 - Introduced by Messer and others
"To establish a state-wide system for the election of the members of county boards of education." [Provides that at 1968 primary and general election for nomination and election of county officers all member of cited boards subject to partisan election to be nominated and elected; provides that at 1968 general election for county officers all members of cited boards subject to non-partisan election to be elected; all persons elected to take office on first Monday in December, 1968 and appropriate succeeding years. Requires boards to submit plan for election to State Superintendent of Public Instruction on or before February 1, 1969; Sup't to furnish copy to State Board of Elections and county board of elections.

Each plan to contain substantially the following: whether election to be partisan or nonpartisan, number of members, whether terms to be identical or staggered, whether chairman of board to be candidate as chairman or whether he to be elected by and from membership, and whether members to be elected at large or from districts and if later, outline of districts. Plans to be prepared by county board of education and board of commissioners each board to have one vote on adoption item by item; in cases of ties, resident superior court judge to cast one vote on each item. If county board of education fails to submit plan, resident superior court judge to formulate and submit plan. Provides that county board of education which at time of ratification of Act is elected by popular vote may submit as its plan the system then in use. Requires that after plan submitted to Sup't and operative it cannot be changed for four years; amendments to be made in essentially same manner as original. Specifies that members nominated and elected on partisan basis to be nominated and elected pursuant to GS Ch. 163 and members elected on nonpartisan basis to be elected pursuant to GS Ch. 163. Requires separate ballot without party designation in nonpartisan elections; in such elections requires candidates to file notice of candidacy with board of elections by noon on sixth Saturday before election; notice to state name, age and residence of candidate and other necessary information determined by elections board; specifies that number of persons equal to required membership declared elected and prohibits absentee ballots. Requires $5 filing fee for all candidates regardless of type of election. Requires all candidates, including those from districts to be voted upon at large. Requires county commissioners to adopt schedule of compensation for board members. Requires all boards elected pursuant to Act to hold at least one meeting each month on day certain with seven days' written notice to members. Meetings to be open to public. Authorizes calling of special meetings by chairman or majority of membership. Boards to exercise all duties as set out in GS Ch. 115. Vacancies to be filled by appointment of remaining members, except where vacancy occurs at least one month before close of filing date or six months prior to general election (according to method of election). All members shall serve 4-yr. terms, staggered at local discretion. Repeals as of first Monday in December, 1968 all omnibus acts or local acts appointing members to county boards of education.] To Education.

HB 1014 - Introduced by Ramsey of Person

"Amending G.S. 58-262.2, relating to the term of office of the members of the North Carolina Health Insurance Advisory Board so as to provide staggered terms of office for such members." [Identical with HB 1014, digested in the Senate section of today's bulletin.] To Insurance.

HB 1015 - Introduced by McMillan of Wake

"To increase the penalty for improper overtaking and passing another vehicle." [Purports to amend GS 20-17(b) but apparently intends to amend GS 20-176(b) so as to make the penalty for the various offenses of overtaking and passing set out in GS 20-150 fine up to $100, imprisonment up to 60 days, or both (now, fine up to $50 or imprisonment up to 30 days). Effective July 1, 1967.] To Highway Safety.

HB 1016 - Introduced by Raynor

"Relating to evidence of the statements of certain deceased persons." [Adds new subsection (b) to GS 8-51 providing that term "personal transaction" as used in present section not to include operation of a motor vehicle. (Section relates to testimony of interested persons in civil actions, where other party is dead or a lunatic.) Adds new GS 8-51.1 entitled "Dying Declarations", providing that statements by persons unavailable as witnesses because of their death not to be inadmissible as hearsay evidence if judge finds that statements were made voluntarily and good faith while declarants conscious of impending death and believing that there was no hope of recovery. Provides that section to apply only to testimony of guest passengers in motor vehicles with regard to dying declarations of driver of vehicle. Provides also that act not to apply to pending litigation.] To Judiciary 1.

HB 1017 - Introduced by Forbes

"To authorize the killing of dogs running at large after notice to the owner." [Adds new GS 67-4.1 authorizing property owners to kill dogs running at large on their premises. Prohibits killing of dog with collar and identification tag pursuant to GS 67-33 unless owner has been given notice and has failed or refused to keep dog confined. Requires killer to make reasonable effort to ascertain and notify owner before acting. Exempts dog killers from criminal or civil liability.] To Judiciary 1.

HB 1018 - Introduced by Bowles and others

"To provide for research on production and processing of fruit and vegetables." [Identical with SB 433, digested in the Senate section of Bulletin No. 66 at page 621.] To Agriculture.

HB 1019 - Introduced by Beatty and others

"To amend GS 94-14, [apparently intended to be GS 96-14] relating to disqualification for unemployment compensation benefits resulting from labor disputes." [Rewrites GS 96-14(4) (disqualifying workers for unemployment benefits when unemploymemt results from certain labor disputes) to provide that worker shall be disqualified if total or partial unemployment is due to "stoppage of work" because of labor dispute at factory, establishment or other premises at which last employed (now, unemployment caused by labor dispute in active progress on or after July 1, 1961 at such factory, etc., or caused by labor dispute at another place owned or operated by same employing unit and supplying materials necessary to continued operation of premises or unemployment during period necessary to resume operations after such dispute), and that disqualification shall not occur if it is shown to satisfaction of Employment Security Commission that worker is not participating in, financing, or directly interested in dispute and does not belong to grade or class of workers of which there were, immediately before stoppage, members employed at premises at which stoppage occurs, any of whom are participating in, financing, or directly interested in dispute (now, no such exceptions). Provides that separate branches of work, commonly conducted as separate business in separate premises, conducted in separate departments of same premises shall each be deemed as separate factory, establishment of other premises hereunder.] To Employment Security.

HB 1020 - Introduced by Baugh

"To provide a fifty per cent (50%) credit against income tax for ad valorem taxes paid on inventories." [Amends GS Ch. 105, Art. 4 (Schedule D. Income Tax) as follows: (1) Adds new GS 105-151.1 providing that individuals licensed as wholesale merchants in State or brokers or manufacturers in State be allowed a credit against taxes imposed by Art. 4 for 50% of ad valorem property tax paid by them to counties and municipalities based upon their inventories held in connection with their respective businesses. Provides that credit be applied against income tax due from such individuals for income year in which ad valorem property tax actually paid or, if credit exceeds income tax due, excess credit to be carried forward for not more than two years, with amount of excess to be applied first against income tax due by such individual for next succeeding income year before any balance carried forward to second year. Provides also that in no case shall any part of credit be applied more than once against income tax due by such individual. Defines "inventory" for purposes of section to mean stock of goods held primarily for sale to manufacturer for further processing and in case of manufacturer to include raw materials, goods in process and other materials used in manufacturing. Provides that in case of ad valorem property taxes paid by partnerships on inventories, credit provided by this section to be allowed partners in same proportion as they are entitled under partnership agreement to share in partnership's profits. (2) Adds new GS 105-134.1 providing for tax credit for ad valorem property taxes paid by corporations on business inventories. Provisions of section identical with new

GS 105-151.1, digested above except that "corporation" is substituted for "individual" or "individuals". Effective January 1, 1968 with tax credit provided in act to be allowed for ad valorem property taxes becoming due and paid on or after that date.] To Finance.

HB 1021 - Introduced by Baugh

"To authorize the governing bodies of counties and municipalities to levy a tax on alcoholic beverages sold through A.B.C. stores." [Adds new GS 18-85(c) (redesignates present (c) and (d) as (d) and (e)) authorizing governing bodies of counties or municipalities with ABC stores to impose additional tax or surtax on retail price of spirituous or distilled liquors sold in stores as follows: (1) each one fourth (1/4th) gallon container ....30¢; (2) each one fifth (1/5th) gallon container ....25¢; (3) each one eighth (1/8th) gallon container ....15¢; (4) each one tenth (1/10th) gallon container ....15¢; (5) each one sixteenth (1/16th) gallon container ....10¢; (6) all other containers, a tax at the rate of one dollar and twenty-five cents ($1.25) per gallon. Requires taxes to be distributed within county or municipality at same timeand same manner as profits from sales at stores. Authorizes raising of liquor prices to include tax notwithstanding GS 18-39(3) or any other sections of GS Ch. 18. State taxes levied pursuant to GS 18-85(a) and (b) to be computed on sales price excluding tax here provided. Effective July 1, 1967.] To Finance.

HB 1022 - Introduced by Baugh and Hunter

"To amend Article 3 of Chapter 105 relating to corporation franchise tax." [Amends GS 105-122(d) (rate and subject of corporate franchise tax) to delete provision that proportion of total capital stock, surplus, and undivided profits determined under section shall not be less than total assessed value of all of a corporation's real and intangible personal property in State for year, and to delete proviso that basis for franchise tax of corporation with 80% of outstanding stock owned by persons to whom stock issued prior to Jan. 1, 1935, in payment of deposits in closed State bank shall be total assessed value of real and tangible personal property of corporation in State for the year. Effective July 1, 1968.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1006 - (Wilson) Introduced by Paschall

"To fill a vacancy on the Wilson County Board of Education." [Appoints Dr. R.D. Richards to Wilson County Board of Education to serve unexpired term of L.C. Barnes.] To Education.

HB 1008 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones.

"To raise the salaries of the clerk of superior court and the register of deeds of Mecklenburg County." [As title indicates, raises annual salary of clerk of superior court and register of deeds by $1,000 beginning July 1, 1967. Effective July 1, 1967.] To Counties, Cities and Towns.

HB 1010 - (Richmond) Introduced by Hunter

"To repeal Chapter 257 of the Session Laws of 1967 (H.B. 641), to merge the Richmond County School Administrative Unit, The Hamlet City School Administrative Unit and the Rockingham City School Administrative Unit into one school administrative unit under one board of education to administer all the public schools in Richmond County and to establish a board of education." [Repeals SL 1967, Ch. 257 (school units merger). Upon establishment of Richmond County Board of Education, Hamlet and Rockingham City School units to be consolidated and merged with Richmond unit and all public schools of all units to be administered by Richmond Board and all assetts and property of Hamlet and Rockingham units to be transferred to Richmond unit; transfer not to affect uncompleted contracts with superintendents,

principals, teachers and other clerical personnel. Richmond county comm'rs to call election on consolidation within 90 days; election to be nonpartisan and if written ballot used special school ballot to be used; if voting machine used, names of candidates to be arranged as a nonpartisan group (now, nonpartisan election not provided for). Ballot or voting machine to contain following names unless name withdrawn: B. B. Covington, Harold Williams, Lawrence Crouch, Jimmy L. Maske, Ben T. Smith, James H. Pittman, Worth G. Walker, Dr. G. S. Haltiwanger, Robert E. Hutchinson, Jack Land, Dr. W. M. Pearce, Dr. G. L. Cloninger, Jr., Gratton L. White, Mrs. Hugh O. Queen and David Adeimy. Any other eligible elector of county may become candidate for board by filing notice of candidacy with comm'rs at least 30 days prior to election. Election to be conducted in accordance with GS Ch. 115, Art. 14 (special local tax elections for school purposes). If withdrawal of name candidate results in insufficient candidates, county comm'rs to name sufficient number so that electorate shall have "reasonable choice". Three candidates receiving highest vote in countywide election to hold office until first Monday in December, 1974, next three highest until 1972, and next three until 1970, thus constituting 9-member board; future board members to be nominated at nonpartisan primary and elected at countywide general election for 6-year terms. Vacancies from death, disability, resignation, etc., to be filled within 30 days by remaining members of board; if not filled State Board of Education to appoint.] Passed three readings and sent to Senate.

HB 1013 - (Halifax) Introduced by Gregory

"To allow the qualified electors of Halifax County to determine the tenure of office for members of the County Board of Commissioners." [Requires county board of elections to hold special election at 1968 primary election to determine question of whether to increase tenure of office of members of board of county commissioners from two to four years and to stagger their terms of office with three members receiving high vote at 1968 election to serve 4-year term and two remaining to serve 2-year term. Requires no new registration and election to be held pursuant to laws governing primary elections. Specifies form of ballot. Provides that Act not to affect present county commissioner districts.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 25 - Highway patrol planes. Floor amendment adopted to specify that neither observer nor pilot competent to testify in criminal actions charging violations of GS 20-141 (speed restrictions) GS 20-141.1 (restrictions on speeding near rural public schools) and GS 20-144 (speed limitations on bridges); declares it public policy that planes be used primarily for accident prevention and for issuance of warning citations pursuant to GS 20-183. Passed third reading.

SB 47 - Clerk's trust fund, as amended in Senate 3/23. Reported unfavorably.

SB 381 - Gas users tax rebate. Passed second reading.

SB 407 - Charity solicitation reports. Received from Senate; placed on calendar for 5/17.

SB 436 - Bedding stamp fee. Received from Senate; sent to Judiciary 2.

HB 53 - Cross burning penalty, as amended in Senate 5/6. Concurred in technical amendment but failed to concur in work release amendment.

HB 124 - Drunk driving penalty increase (House committee substitute 3/21). Reported unfavorably.

HB 146 - Election law codification. Amended to (1) make it unlawful to refuse to obey commands of Chairman of State Board of Elections while Board in session; (2) set registrars fee for furnishing names from registration and poll books at rate not to exceed two cents per name (now, two cents per name); (3) make technical changes; (4) require county board of elections to notify applicants of rejection of registration; (5) to require notice of county board of elections appeal results within five rather than ten days; and (6) to require filing affidavits of independent or non-partisan candidacy with chairman rather than with board of elections. Passed second reading.

HB 149 - Secret society disguises (Senate committee substitute, 5/4). Agree to Senate committee substitute.

HB 211 - Six month voter residence. Failed to pass second reading.

HB 251 - Uniform Com'l Code changes, (House Committee substitute, 5/12). Postponed to 5/17.

HB 279 - 11th District Court Reporter. Reported unfavorably.

HB 356 - Water-air resources board. Reported favorably as to House committee substitute. Committee subsitute adopted which:(1) Revises judicial review provisions to provide for review of final orders or decisions under Act by superior court pursuant to general judicial review procedures of GS Ch. 143, Art. 33, but allows judge to hear additional evidence and find additional facts on application of any party; petitioner may seek such review in superior court of Wake County or of county where petitioner resides. (Original bill provided for trial de novo of such appeals in superior court of county where order effective, and spelled out considerations for reviewing court to take into account, such as economic and physical feasibility. (2) Increases membership of Board of Water & Air Resources to 13 (originally 11), with the two additional members to be one licensed physician and one person actively connected with State Board of Health or a local health department (both initial appointments and successors); initial appointees to include five (originally three) members appointed for 2-year terms. Changes quorum of Board to seven (originally, six). (3) Reduces industrial representation on the 13-member Water & Air Pollution Advisory Council to four (originally six), and substitutes two members representing public health. (4) Modifies provisions relating to rapid amortization allowance for water and air pollution abatement facilities in computing State income tax, exemption of such facilities from ad valorem tax and assessment, and deductible reserves for such facilities in computing corporate franchise tax, by excluding (from these exemptions and deductions) facilities or equipment of public or private utilities built primarily to provide sewer service to residential and outlying areas. (5) Clarifies provisions on local air pollution control programs by adding authorization for Board to permit any local governing body to adopt a class of air contaminant regulations resulting in more efficient air pollution control than would applicable Board standards. (6) Makes clarifying changes in definitions of "air contaminant", "air pollution" and "air contaminant source", and in criteria for classifications. Eliminates from factors to be considered in assigning classifications the extent to which water is receiving sewage or wastes and relative economic values involved. (7) Revises declaration of policy to stress conservation of air and water resources and maintenance of quality environment, and to define the purpose of standards of air and water purity.

HB 400 - Forty year title clear. Reported favorably as to House committee substitute as amended. Committee substitute adopted providing that marketable record title not to affect or extinguish (1) rights of any person who has easement

or interest in nature of easement whose existence is clearly observable by physical evidence of use with such use of any part thereof to preserve entire easement or interest in nature of easement (originally no mention of use of easement preserving entire easement or interest in nature of easement); (2) rights of any person who has an easement or interest in nature of easement for flowage, flooding or impounding of water, for so long as watercourse or body of water which such easement or interest in nature of easement serves continues to exist, for purpose of placing and maintaining any underground lines, pipes, cables, conduits, or other appurtenances useful in operation of any water, gas, or electric generation, transmission or distribution system, or any sewerage collection or disposal system, or any telephone, telegraph or other communications system, or any surface water drainage or disposal system, so long as such easement or interest in nature of an easement is in actural use for such purpose, whether or not existence of same is clearly observable by physical evidence of use (new); (3) rights, titles or interests of State in submerged lands, swamp lands, and vacant and unappropriated lands, as defined in GS Ch. 146 (new). Provides that when there are two or more marketable titles to same real property, and no such marketable title prevails over others by virtue of act, that marketable title superior under real property law other than this Chapter shall prevail (new). Amendment adopted providing that use of any part of easement to preserve entire easement or interest in nature of easement must be for a distance not in excess of one hundred feet from nearest point of observable use (originally no specific mention of distance).

HB 531 - District judge vacancies. Reported favorably.
HB 554 - Drainage dist. petitions. Reported favorably.
HB 557 - School consolidations. Passed third reading.
HB 587 - Bang's disease, as amended in Senate 5/12. Concurred in Senate amendment.
HB 682 - Wrongful death damages, as amended in House 5/15. Floor amendments adopted making technical change and providing that in computing damages in wrongful death actions, jury may consider all decedent's services of measurable value to those individuals who would be entitled to share in wrongful death proceeds (originally jury to consider all decedent's services of pecuniary value to others). Passed third reading.
HB 691 - Car insurance, license penalty. Floor amendment adopted making technical changes. Passed second reading.
HB 775 - 11th Dist. ct. reporter pay. Reported favorably.
HB 796 - Public contracts revision. Reported favorably as amended.
HB 814 - License examiner benefits. Reported favorably.
HB 920 - Amber wrecker lights. Reported favorably.
HB 923 - Veterinarians registration fee. Passed second reading.
HB 937 - Drunk-drugged driving punishment. Reported favorably.
HB 968 - State salvage interests. Reported favorably as amended.

LOCAL BILLS

HB 799 - (Cumberland) Fayetteville outside zoning. Postponed indefinitely.
HB 1010 - (Richmond) School consolidation II. Passed second and third readings.

Next session of House: 12 noon, Wednesday, May 17, 1967.

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BULLETIN NO. 71

Wednesday, May 17, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 480 - Introduced by Maxwell and others

"To amend Chapter 18 of the General Statutes to establish a system of control of the consumption of alcoholic beverages through licensing of on-premises sale thereof." [Identical with SB 182, digested in the Senate section of Bulletin No. 36 at page 278 except as follows: (1) declares that county population is accurate indicator of varying social and cultural differences and limits application of Act to counties with population in excess of 250,000; (2) limits option to counties rather than both counties and municipalities but retains provision allowing municipalities portion of revenue; (3) raises from two to three years period during which license applicants must not have been convicted of or plead guilty to felony; (4) raises from one to two years period during which license applicant must not have been convicted of or plead guilty to any State or Federal ABC law: (5)makes technical correction; (6) lowers state license fee for clubs from $300 to $200 blanket and from $1.50 to $1.00 per members in excess of 200, for hotels from $750 to $500, for restaurants from $500 to $350; (7) requires that county license fee be double rather than same as state license fee; (8) levies tax at rate of $1.60 per bottle containing 1/4 gallon and $1.25 containing less (SB 182 levies at rate of $ .50 per bottle); (9) provides that licensees pay for beverages prices fixed by State ABC Board plus taxes levied (SB 182 gives State Board special pricing authority with respect to quantities of more than one gallon); (10) raises from two to three years period during which prospective employee must not have been convicted of or plead guilty to felony and from one to two years period during which prospective employee must not have been convicted of or plead guilty to State or Federal ABC laws; (11) deletes provision that license may be revoked or suspended if dining room not "Grade A" and substitutes provision that license subject to revocation or suspension if dining room not in compliance with applicable health and safety regulation of governmental authorities having jurisdiction.] To Propositions and Grievances.

SR 481 - (Joint Resolution) Introduced by Gilmore and others

"Expressing appreciation to the North Carolina Center for Education in Politics and to the state legislative interns." [As title indicates.] Passed three readings and sent to House.

SB 482 - Introduced by Burney

"Amending Chapter 58 of the General Statutes of North Carolina so as to provide and permit a voluntary plan whereby adequate extended coverage insurance will be made available to owners of property in the coastal area of the State, and to further provide that non subscribing insurers rejecting extended

coverage insurance for certain property located along the coastal area of North Carolina must report such rejection of extended coverage to the North Carolina Commissioner of Insurance and to the applicant for such insurance, and to further provide that the North Carolina Commissioner of Insurance may, after hearing, suspend, revoke the licenses of the insurer or otherwise penalize such insurer for refusal without good cause to insure property located along the coastal area." [Adds new Art. 18A to GS Ch. 58 entitled "Fire and Extended Coverage for Beach Area Property", requires fire and casualty companies to submit plan to Insurance Commissioner for writing of fire and extended coverage in State's beach area; Comm'r may approve such plans or formulate one himself. Non subscribing insurers to report within 20 days any policy cancellation or refusal to write or renew coverage to Comm'r with explanation or reason for such action; at written request of applicant or insured within 20 days of cancellation, failure to write or renew, company to furnish him copy of report to Comm'r. Non subscribing licensed insurers required to make quarterly report to Comm'r of fire and extended coverage written in beach area and to have agent in beach area or seacoast territory. Authorizes Comm'r to revoke or suspend licenses or impose penalty not to exceed $5,000 on non subscribing insurer who habitually refuses to insure property within beach area; companies to be notified and entitled to hearing prior to such action by Comm'r; notice to state charges. Any company aggrieved by Commissioner's action entitled to have decision reviewed in Wake County superior court upon petition by party aggrieved filed within 30 days from delivery of copy of Commissioner's order; Comm'r to file with CSC within 30 days of service of petition upon him, complete transcript of record of hearing before him, copy of order and decision, and of all pleadings and motions filed in said hearing. Cause to be reviewed as civil case, trial judge having jurisdiction to affirm or set aside order or decision of Comm'r. All licensed brokers and agents, whether of subscribing or non subscribing company, to report refusal of application for insurance to Comm'r with explanation of reason for refusal; all such information to be privileged and not to constitute grounds for action against agent who furnished information on good faith. Comm'r authorized to promulgate reasonable rules and regulations. Act not to apply to any policy or policies of fire or extended coverage insurance in existence in beach area but to apply to policies renewable on or after Nov. 1, 1967, effective date of act.] To Insurance.

SB 483 - Introduced by Buchanan

"Prohibiting the operation of vessels propelled by machinery by children under twelve years of age; to restrict the operation of machinery propelled vessels by children under sixteen years of age and to provide for the licensing of operators of vessels propelled by engines of five or more horsepower." [Defines various terms used in act, including "motorboat" as vessel propelled by machinery of more than five h.p. whether or not a principal source of propulsion, except one with valid marine document issued by Bureau of Customs or successor federal agency. Prohibits operation of machine-propelled vessel by one under 12, of 5-hp machine powered vessel by one under 14, or of motorboat by anyone not licensed for such operation under act. Possessor of valid motor vehicle operators or chauffeurs (m.v.o.l.) license qualifies for motor boat operators license (m.b.o.l. Such license may be suspended by judge suspending m.v.o.l. for driving under influence, reckless driving (GS 20-140), unlawful racing on streets (GS 20-141.3), or speeding, as m.v.o.l suspended, up to two years. Those between 14 and 16 years old may obtain only learners permit for operation of boat when accompanied by one with effective m.b.o.l. Non-m.v.o.l. holders not habitual drunkards or narcotic or barbituate users may apply for m.b.o.l. to be issued subject to other provisions of act. All licenses and permits to be valid to Jan. 1, 1970 (or until learner becomes 16, whichever is first). Licenses and permits shall contain same information except photo as m.v.o.l. and shall be issued by Wildlife Resources Commission or other State agency designated by it; fee of $2 for license and $1 for permit.

Commission shall study promotion and enforcement of motorboat safety and make recommendations on statutes and regulations for issuance of m. b. o. l. after Jan. 1, 1970. One convicted of, pleading guilty or nolo contendere to, or forfeiting bond, in criminal action, including those created by act, arising from operation of motor boat in State, shall if so judged by court surrender license or permit, for suspension until reinstatement as provided, to trying court (or to issuing agency within 10 days if bond forfeited; may be retained until final action if case is appealed). Creates offenses, all misdemeanors punishable by imprisonment not over six months or fine not over $500 or both in discretion of court, and discretionary suspension of license or permit for not over two years, as follows: careless and heedless operation of motorboat in State waters in wanton disregard of rights and safety of others; operation of motorboat in State waters without due caution and circumspection and at speed or in manner so as to endanger or be likely to endanger person or property; operation of motorboat, or manipulation of water skis, surfboard, or similar device, in State waters while under influence of intoxicating liquor or narcotic drugs. One whose license or permit has been suspended is entitled at end of suspension to reissuance if not habitual drunkard or narcotic drug user and if m. v. o. l. not suspended at such time for reasons enumerated earlier (if not entitled to reissuance for latter reason, he remains ineligible until m. v. o. l. suspension removed or until two years from application for m. b. o. l. or learners permit, whichever comes first). Makes any violation of act or regulation not otherwise provided for a misdemeanor punishable by fine not over $200 or imprisonment not over 90 days or both in discretion of court. Act not applicable to bona fide out-of-state residents not continuously in State for more than 15 days or to operator of boat customarily used for commercial purposes when using it for such purposes; applicable to Armed Forces members stationed or assigned in State more than 30 days. Gives rule-and-regulation-making power to Wildlife Resources Commission. Effective Jan. 1, 1968.] To Wildlife.

SB 484 - Introduced by Buchanan

"Amend G.S. 75A-13(a) relating to the operation of vessels towing water skiers." [Rewrites cited sub-section (prohibiting towing of water skis, surfboard, or similar device except under certain conditions) to provide that such is permitted only when observer older than 12 years other than operator is in boat and when skier wears life preserver and when boat has rear-view mirror (now, either of those conditions is sufficient, and observer may be of any age). Effective July 1, 1967.] To Wildlife.

SB 486 - Introduced by Whitehurst

"To amend Chapter 20 of the General Statutes, so as to authorize the removal of parked or abandoned motor vehicles from public highways." [Adds new GS 20-219.1 providing that motor vehicle parked or abandoned on public highway or its right-of-way for 48 hours shall be towed to place of safety and storage at direction of any law enforcement officer. Owner may redeem by paying towing and storage charges, former not to exceed $5 plus 50¢/mile and latter not to exceed $1/day. Vehicle not redeemed by owner within 90 days may be sold per GS 20-77(d) (payment of motor vehicle storage charges by lien on vehicle) with balance of proceeds, if not claimed by owner, to be paid to school board of county in which sale held.] To Highway Safety.

SB 488 - Introduced by Moore

"To create an office of statistical services within the Department of Administration, and to appropriate funds therefor." [Appropriates $22,000 from General Fund to Dept. of Administration for each fiscal year of biennium 1967-69 to employ statistician and clerical personnel necessary to staff Statistical Services Section herein established within Budget Division of Dept. New office to acquire, evaluate, and present statistical information relevant to needs of General Assembly in enacting effective legislation or agency administrator in decision-making.] To Appropriations.

SR 489 - (Joint Resolution) Introduced by Evans and others

"Creating a commission to study the public school system of North Carolina." [Creates 15 member "Governor's Study Commission on the Public School System of North Carolina", 9 to be appointed by Governor, 3 by Lieutenant Governor from Senate, and 3 by Speaker of House from House membership; Governor to designate one of his appointees as Chairman. Commission to evaluate effectiveness of public school programs, including in study: (1) financial structure supporting public education, including determination of relative ability and responsibility of State and local government in meeting cost and impact of federal funds on school programs; (2) length of school term with consideration of summer utilization of personnel and facilities; (3) training, certification, supply and demand for teachers, supervisors and administrators; (4) allocation of professional personnel, specifications and salary schedules for their positions, and teacher-pupil ratio; (5) adequacy of public school sites, buildings, and auxiliary facilities, including purchase and construction costs, and their maintenance; (6) procedures for selecting, adopting and distributing textbooks; (7) organization of county and city school units, including feasibility of consolidating schools, merging units, and embracing two or more counties in single unit; (8) public school food service program; (9) value of research in experimental schools and projects; (10) relationship between school system and community colleges, technical institutes and industrial education centers; and (11) school bus transportation system. Upon appointment, Commission to meet and elect vice chairman and secretary; Comm'n authorized, upon approval of Governor, to employ personnel; per diem, subsistence and travel allowances of members to be paid at rate allowed State boards generally; expenses to be paid out of State Contingency and Emergency Fund. Comm'n to report findings and recommendations to Governor by Oct. 1, 1968, who shall transmit to 1969 session of General Assembly. Identical with HR 1026.] To Education.

SB 490 - Introduced by Evans and others

"Relating to the responsibility of the State Board of Education and the Office of the Attorney General for defense of state tort claims resulting from school bus accidents." [Amends GS 143-300.1(a) to require Industrial Comm'n upon docketing of tort claim resulting from school bus accident to forward copy of plaintiff's affidavit to superintendent of county or city unit against whom claim is made, to State Board of Education, and to Attorney General (now, to superintendent who must deliver to school board attorney involved); all notices with respect to tort claims to be given to superintendent, State Board of Education, and Attorney General (now, only to superintendent). Makes Attorney General responsible for representing city or county board in connection with claims against them where amount is of sufficient import to require and justify appearance (now, local school board attorney charged with responsibility of representing board in all such claims). Amends GS 143-300.1(c) to authorize settlement of claims as provided in GS 143-295 (provides for settlement upon agreement between claimant and department involved without formal hearing) if State Board, Attorney General as counsel, and Industrial Comm'n approve (now, awards in excess of $1,000 are not to be paid by State Board if county or city board has not contested and defended local board against such liability; local school board attorney authorized to settle claim if settlement approved by local board and Industrial Comm'n). Appropriates from General Fund $43,136 for 1967-69 biennium to State Board of Education for employment of claim adjusters to settle tort claim and $28,890 for 1967-69 biennium to office of Attorney General for defraying costs of handling claims. Effective July 1, 1967. Claims now pending may be sent to Attorney General in discretion of city or county school board attorney handling claim. Identical with HB 1045.] To Judiciary 2.

SB 491 - Introduced by Ellis

"To amend the license tax article, being Article 2 of Chapter 105 and certain other related provisions of the General Statutes of North Carolina." [Identical with HB 1036, digested in the House section of todays bulletin.] To Finance.

SB 492 - Introduced by Ellis

"To amend GS 18-81, relating to the distribution of funds derived from the sale of beverages enumerated in GS 18-64." [Amends subsection (t) of cited section to raise from 47-1/2% to 75% the percentage of taxes collected under subsection (a) of section (tax on sale of beer) to be distributed to counties and municipalities where such beverages licensed to be sold, and to raise from 50% to 75% the percentage of taxes raised under subsection (r) (tax on sale of certain wines) to be so distributed. Identical with HB 1028.] To Finance.

SB 493 - Introduced by Ellis

"To amend GS 18-81.1, relating to the use of funds allocated to counties and municipalities. [Rewrites cited section to provide that taxes from sale of certain beverages distributed to counties and municipalities under GS 18-81(t) may be used by them "for any public or governmental purposes for which the counties or municipalities may expend general, surplus or nontax revenues" (now, "as any other general or surplus funds of said unit may be used"). Identical with HB 1029.] To Finance.

SR 495 - (Joint Resolution) Introduced by Bridgers

"Commending the celebration of Law Appreciation Day in Edgecombe County." [Identical with HR 1023, digested in the House section of today's bulletin.] Passed three readings and sent to House.

SB 496 - Introduced by Alford

"To repeal G.S. 20-279.17 relating to proof of financial responsibility upon certain convictions." [Identical with HB 1033, digested in the House section of today's bulletin.] To Insurance.

SR 497 - (Joint Resolution) Introduced by Alford

"Requesting the Legislative Research Commission to conduct an extensive study of motor vehicle tires from the standpoint of safety, ratings, marketing practices, advertising and possible statutory recommendations." [As title indicates; study to be initiated as soon as feasible into all pertinent aspects of motor vehicle tires, with special emphasis on their safety features or lack of them, tire ratings and their merit or lack of it, costs of tires based on ratings, relative safety of tires placed on new cars being sold in State, minimum tolerance for safety in highway use, and possible criteria for inspection program. Commission may call on state or federal agencies for assistance and shall report to General Assembly with recommendations.] To Highway Safety.

SB 498 - Introduced by Shuford

"To amend Article 16 of Chapter 116 of the General Statutes entitled "State Board of Higher Education." [Adds GS 116-158(7 1/2) to authorize Board of Higher Education to approve minimum standards for admission of students to all senior institutions of higher education and 4-year colleges now or hereafter established that are supported wholly or in part by direct state appropriations.] To Higher Education.

SB 499 - Introduced by Griffin

"To amend and consolidate the investment authority of local government units." [Identical with HB 1025, digested in the House section of today's bulletin.] To Local Government.

LOCAL BILLS INTRODUCED -- SENATE

SB 485 - (Craven) Introduced by Whitehurst
"To amend Chapter 130, Session Laws of 1967, relating to the appointment of members of boards of education of the respective counties in North Carolina." [Amends SL 1967, Ch. 130 to delete C. A. Seifert and insert therefor Reuben S. Hart, Jr. to list of school board appointees to Craven County School Board. Identical with HB 1039.] To Education.

SB 487 - (Robeson) Introduced by MacLean
"To provide an election or referendum for a certain area in Robeson County on the question of whether or not it shall be annexed to the Lumberton City Administrative Unit and be subject to the school taxes levied in the Lumberton City Administrative Unit if so annexed." [Designates area subject to election as "C" addition and describes it by metes and bounds. Makes provisions for referendum and for results of same identical with provisions of SB 435, digested in bulletin of May 10, 1967, at p. 623 applying to two other additions.] To Local Government.

SB 494 - (Cherokee) Introduced by Brumby
"To fix the compensation of the Board of County Commissioners and of the County Attorney of Cherokee County." [Provides that in Cherokee County as of July 1, 1967, chairman of county commissioners shall receive yearly $1,800, other members of board $1,200, and county attorney $2,400, all payable in equal monthly installments from county general fund. Effective July 1, 1967.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 25 - Highway patrol planes, as amended in House 5/4 and 5/16. Received for concurrence in House amendments; concurred.
SB 69 - Congress Dist. Mills Griffin (Senate committee substitute 5/9). Postponed to 5/23.
SB 134 - Industrial development bonds. Postponed indefinitely.
SB 272 - Loan association investments. Reported favorably as amended.
SB 328 - 4th Dist. Ct. Reporter pay. Passed second and third readings.
SB 358 - Self-liquidating projects (2). Passed third reading as amended in Senate 5/15.
SB 398 - Lloyds insurance associations. Reported favorably.
SB 447 - State salvage interests. Floor amendment adopted eliminating provision of original bill that expenses in excess of receipts are to be paid from Contingency and Emergency Fund. Passed second and third readings.

HB 298 - Industrial development bonds, as amended in House 5/11. Passed third reading.
HB 316 - Militia amendment. Reported favorably as amended.
HB 363 - Post conviction amendments. Passed second and third readings.
HB 468 - Veteran's Guardianship changes. Reported favorably.
HB 548 - Veteran's employment preference. Reported favorably.
HB 557 - School consolidations. Rec'd from House; sent to Education.
HB 682 - Wrongful death damages, as amended in House 5/15. Rec'd from House; sent to Judiciary 2.
HB 922 - Guilford 200-year commission. Reported favorably.
HR 1023 - (Joint Resolution) Honoring Law Day. Rec'd; passed 2nd & 3rd readings.
HR 1024 - (Joint Resolution) Honoring Dr. Reid. Rec'd; passed 2nd & 3rd readings.

LOCAL BILLS

HB 914 - (Wilson) Temporary court quarters. Passed.
HB 933 - (Wake) Wake Forest prosecutor. Passed

Next session of Senate; 11:30 a.m., May 18, 1967

BULLETIN NO. 71

Wednesday, May 17, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1023 - (Joint Resolution) Introduced by Eagles and others
"Commending the celebration of Law Appreciation Day in Edgecombe County." [As title indicates. Identical with SR 495.] Passed three readings and sent to Senate.

HR 1024 - (Joint Resolution) Introduced by Ervin and others
"Honoring the contributions of Dr. Paul A. Reid, President of Western Carolina College, to public education in North Carolina." [As title indicates.] Passed three readings and sent to Senate.

HB 1025 - Introduced by Mills of Anson
"To amend and consolidate the investment authority of local government units." [Amends GS Ch. 159 (Local Government Acts) by adding new GS 159-28.1 entitled "Investment of unit funds." Provides that governing body of unit may deposit at interest or invest all or part of cash balance of any unit fund including but not limited to funds whose investment is authorized by GS 115-80.3, 153-142.24, 153-135.1, (sic) 159-25, 159-49.1, 160-411.5, and 160-431. (Authorize investment of school reserve funds, county health reserve funds, city and county unused bond proceeds, and various municipal funds, including capital reserve funds). Governing body by resolution may designate any officer, employee or governing board member to manage (purchase, sell or exchange) unit's deposits and investments on behalf of governing body; governing body to exercise due diligence to assure that idle cash is invested or deposited at reasonable rates of interest but available to unit when needed; moneys made available for investment may be deposited at interest in any bank or trust company in State in form of time deposits, certificates of deposit, or in such form of deposit as Director of Local Government may approve. Provides that deposits to be secured pursuant to GS 159-28 (Funds of unit on deposit to be secured by corporate surety bonds). Sets out classes of securities for which moneys made available for investment may be invested as follows: (1) obligations of U.S.; (2) obligations of any agency of U.S. interest and principal guaranteed fully by U.S.; (3) obligations of NC; (4) bonds and notes of any NC local government unit subject to restrictions Director of Local Government may impose; (5) shares of savings and loan association organized under NC laws and shares of any federal savings and loan association having principal office in NC, to extent investment in such shares insured by U.S. or agency thereof; (6) obligations of Federal Intermediate Credit Banks, Federal Home Loan Banks, Federal National Mortgage Association, Banks for Cooperatives, and Federal Land Banks maturing no later than 18 months after date of purchase. Provides that purchase, sale and trade of securities authorized by section may be by private negotiation. Provides that cash of several funds may be combined for deposit or investment if not otherwise prohibited.

Rewrites GS 115-80.3, GS 153-142.24 and GS 160-431 to provide that cash balance of capital reserve funds may be deposited at interest or invested pursuant to this section. Rewrites GS 130-128(16)(c)(2) to provide for deposit at interest or investment under provisions of this section. Adds new GS 153-135.1 providing that cash balances of county funds may be deposited at interest or invested pursuant to this section. Rewrites GS 159-25 to provide that sinking funds be deposited or invested as provided in chapter with such deposits and investments to be subject to approval of Director of Local Government . Rewrites GS 159-49.1 to provide that

bond proceeds may be deposited at interest or invested pursuant to this section. Repeals GS 159-49.2 (investment of bond proceeds pending use) and rewrites GS 160-411.5 to provide that cash balances of municipal funds may be deposited at interest or invested pursuant to this section. Identical with SB 499.] To Finance.

HR 1026 - (Joint Resolution) Introduced by McMillan of Robeson and Edwards
"Creating a commission to sutdy the public school system of North Carolina." [Identical with SR 489, digested in Senate section of today's bulletin.] To Education.

HB 1027 - Introduced by Baugh
"Relating to the valuation of real estate for ad valorem tax purposes." [Amends GS 105-295 (appraisal of real property) by adding new paragraph immediately following present third paragraph providing that in determining value of any building or land which has been voluntarily sold in arms length transaction during calendar year next preceding listing, assessors shall fix value of such buildings and land at figure which is no higher than sales price of buildings, provided owner furnishes necessary affidavits at time of listing owner that property in question was acquired in arms length transaction, giving date of sale and sales price, and signed by buyer and seller. Effective January 1, 1968.] To Finance.

HB 1028 - Introduced by Ragsdale and Mills of Onslow
"To amend GS 18-81, relating to the distribution of funds derived from the sale of beverages enumerated in GS 18-64." [Identical with SB 492, digested in the Senate section of today's bulletin.] To Finance.

HB 1029 - Introduced by Ragsdale and Mills of Onslow
"To amend GS 18-81.1, relating to the use of funds allocated to counties and municipalities." [Identical with SB 493, digested in the Senate section of today's bulletin.] To Finance.

HB 1030 - Introduced by Bumgardner
"Amending Article 24 of Chapter 58 of the General Statutes relating to mutual burial associations." [Adds new GS 58-224.1 creating NC Mutual Burial Association Commission to be composed of five members with members of initial Commission elected for staggered terms of 5 to 2 years. Sets out election procedures for members of initial Commission, length of staggered terms and requirements for membership. Provides that initial Commission members take office on first Monday in December, 1967 to serve until successors are elected or appointed, and that after terms of initial Commission members expire, 5-member Commission to serve 5-year terms. Sets out election procedures (mailed ballots) for membership of Commission after terms of initial Commission members expire. Adds new GS 58-224.2 directing Commission to supervise all burial associations authorized by Art. 24 to operate in State, to determine that they operate in conformity with such article and pursuant to rules of Commission, to assist Burial Association Commissioner in prosecuting violations of article, and to counsel Burial Association Commissioner in performance of duties and to protect interests of members of mutual burial associations. Provides that Commission shall elect own chairman to vote in case of tie, that Commission hold regular meetings at least twice each year, that Burial Association Commissioner serve as Commission secretary, that all meetings of Commission be open to public unless majority of Commission members vote otherwise, that members of Commission receive per diem, expense allowance and travel allowance allowed other State boards when attending regular or special Commission meetings, with legal advisor to Commission entitled to actual expenses. Repeals GS 58-225 (maintenance of separate branches when burial associations operate for benefit of both races) and rewrites Article 2 of GS 58-226 (requirements as burial associations' rules and by laws) providing that any member of any association may purchase double benefit (for total benefit of $200) but that any additional

benefit to be based on assessment rate provided in Article 6 of GS 58-226 at attained age of applicant at time double benefit takes effect. Provides also that purchase of double benefit not to be available to any member unable to fulfill requirements of Article 3 of GS 58-226 excluding payment of 25¢ membership fee. (Now, where any members of any association elect to pay double assessments provided in Article 6 of section benefits to such members to be doubled but election not to be available to any member who has passed 65 birthday.) Rewrites GS 58-235, providing that persons offering free funeral services (now, persons who contribute funeral services) or free embalming, free ambulance service or any thing free of charge acting for any burial association to be guilty of misdemeanor punishable by fine not less than $250 or imprisonment not less than 12 months in discretion of court. (Now, persons accepting donations from any source or who contribute money guilty of misdemeanor.)] To Insurance

HB 1031 - Introduced by Leatherman

"To amend Article 16 of Chapter 116 of the General Statutes entitled "State Board of Higher Education"." [Identical with SB 498, digested in the Senate section of today's bulletin.] To Higher Education.

HB 1032 - Introduced by Hutchins and others

"To amend G.S. 147-45 so as to provide a copy of the Session Laws, a copy of the House and Senate Journals, and a copy of the Supreme Court Reports to Asheville-Biltmore College." [As title indicates, adds Asheville-Biltmore College to cited section.] To Finance.

HB 1033 - Introduced by Ramsey of Person

"To repeal G.S. 20-279.17 relating to proof of financial responsibility upon certain convictions." [As title indicates. Repeals cited section, providing that whenever Commissioner of Motor Vehicles suspends or revokes license of any person under provisions of Uniform Drivers License Act such license to remain suspended or revoked and not to be reinstated nor new license issued to person until permitted under motor vehicle laws and not then until such person shall give and thereafter maintain for period provided by law proof of financial responsibility, except as provided in GS 20-16.1. Identical with SB 496.] To Insurance.

HB 1034 - Introduced by Barr and others

"To appropriate funds to North Carolina State University at Raleigh, Department of Poultry Science." [As title indicates, appropriates $49,732 from General Fund for 1967-69 biennium to be used for research.] To Appropriations.

HB 1035 - Introduced by Messer

"To amend G.S. 18-81 to impose an additional tax on malt beverages for the purpose of providing funds for cleaning and beautifying the highways and roads of the State of North Carolina and the streets within municipalities." [Adds new subsection (a3) providing that in addition to all other taxes levied in Ch. 18 additional tax be levied upon sale of beverages enumerated in GS 18-64(a) (beer, etc.) of $3 per barrel of 31 gallons, or equivalent of such tax in containers of more or less than 31 gallons, and in bottles or other containers of not more than six ounces a tax of 1/2¢ per bottle or container, and in bottles or other containers of not more than six ounces and not more than 12 ounces a tax of 1¢ per bottle or container, and in bottles or containers of capacity of one quart or its equivalent a tax of 2 2/3¢ per bottle or container. Provides that none of revenues to be allocated to counties or municipalities under provisions of subsection(5) but to be allocated as set out in act.

Provides that all who own or possess any of beverages set out in GS 18-64(a) on January 1, 1968 for purpose of sale in state, to file complete inventory of such beverages with Commissioner of Revenue not later than January 20, 1968 and to pay to Commissioner tax imposed with respect to all beverages on hand on January 1, 1968. Commissioner to prescribe form and manner of making inventory reports and method of evidencing payment of tax. Provides that manufacturers and bottlers may, at their option, pay tax levied at rate of .09¢ per ounce when beverages taxed herein are contained in bottles of over six ounces. Provides that from taxes collected annually under this Act entire proceeds to be paid over to State Highway Commission within 30 days following end of calendar year. Commission to retain an amount equivalent to 30% of taxes collected under Act to be annually distributed equally by Commission to 14 highway divisions in State for use within such divisions for cleaning and beautifying highways within division. Remaining 70% of funds collected annually to be allocated to municipalities within State by Commission under formula set out in GS 136-41.1 (known as "Powell Bill Funds"). Provides that funds received by municipalities under act to be used for sanitation, cleaning, maintaining and beautifying their streets. Rewrites GS 18-81(b) to include payment of tax imposed by subsection (a3) of this Act. Effective January 1, 1968.] To Finance.

HB 1036 - Introduced by Harkins and others

"To amend the license tax article, being Article 2 of Chapter 105 and certain other related provisions of the General Statutes of North Carolina." [Rewrites GS 105-65.1 to make following changes: Reduces license tax on cigarette dispensers from $250 to $50 and on dispensers of food for 5¢ or more from $150 to $50. Adds new category of license (fee: $50) for open-cup drink dispensers (now, included with other drink dispensers). Deletes paragraph making licensed tobacco distributor or dispenser operator liable for unpaid tobacco product jobber license tax (GS 105-84) at premises where he places dispenser. Adds provision imposing additional tax of .1% of gross receipts on one distributing, operating, or maintaining five or more dispensers of cigarettes, other tobacco products, open-cup drinks, food or other merchandise, and weighing machines, with $50 operator's license tax paid to be treated as an advance payment of and credit against gross receipts tax during year for which such license tax paid. All liable for this tax shall file quarterly reports with Revenue Commissioner by 15th day of Jan., Apr., July, and Oct. for 3-month period ending on last day of month before that in which report due, with taxes due for period to be paid to Commissioner at time report required to be filed. Deletes paragraph requiring payment of license fee under GS 105-79 and -84 (soda fountain and tobacco jobbers license tax).

Amends (d) to make sales subject to Article 5, rather than to Schedule "E" GS 105-164 to 105-187. Amends (e) to prohibit local taxation upon sales of commodities thru mentioned machines or dispensers and to delete authority of local governments to collect annual occupational license from operators of cigerette dispensing machines up to $10. Deletes (f) relative to authority of local governments to confiscate machines for nonpayment of taxes.

Adds new subsection (d) to GS 105-62 (restaurant license tax) providing that no tax shall be levied under section for operation of, or sale of commodity through, vending machine licensed and required to pay gross receipts tax under GS 105-65.1 (receipts tax on dispensers and weighing machines). Amendment to GS 105-62 to be codified under GS 105-79 and -84 (soda fountain and tobacco jobber license tax). Makes various clarifying and conforming changes. Identical with SB 491.] To Finance.

HB 1037 - Introduced by Hill

"To amend Chapter 105 of the General Statutes by inserting a new article imposing a tax on cigars, cigarettes, and smoking tobacco." [Identical with HB 939, digested in Bulletin No. 64 at page 607, except as follows: (1) Rate of tax is 1/10 of 1¢ per cigarette (HB 939: 1/4 of 1¢), and 1¢ per 10¢ retail on cigars and smoking tobacco (HB 939: 2¢ per 10¢). (2) Omits provision of HB 939 for distribution of net proceeds of tax to counties for school purposes.] To Finance.

HB 1038 - Introduced by Greenwood and Harkins

"To authorize counties to expend nontax funds to assist state licensed facilities for the mentally retarded." [Authorizes county commissioners to make donation to any licensed facility for mentally retarded, whether publicly or privately owned and whether located within or outside county, if donation would involve care available to county residents.] To State Government.

HB 1040 - Introduced by Ingle and others

"To allow free competition in the retail selling of milk and to provide for adequate protection for the dairy farmer and the distributor of milk products." [Rewrites GS 106-266.21 as follows: Authorizes retailers whose principal business is selling other than dairy products and not owning, maintaining, or controlling directly or indirectly milk processing plant to sell milk at any price. Provides that on demand of Milk Commission, retailer to provide evidence that loss, if any is being absorbed by him and that (if sale is below retailer's wholesale cost) he is receiving no discounts, rebates, gratuities or other matters from the distributor or producer which have effect of reducing wholesale cost. Requires retailers to provide equal space for display and selling purposes to each distributor in marketing area upon written request of retailer. Prohibits retailer from discriminating in prices of various brands of Grade A or Class 1 milk. (Now, section generally prohibits sale of milk by distributors, producer-distributors or retailers below cost for purpose of injuring, harassing or destroying competition.)] To Agriculture.

HB 1041 - Introduced by Taylor of Transylvania and Jordan

"To amend G.S. 20-9 relating to persons who shall not be licensed to operate a motor vehicle, establishing review procedure." [Adds new subsection (g) to GS 20-9 providing that Department may issue operator's or chauffeur's license to any applicant covered by GS 20-9 (e) under following conditions: (1) Department to issue license to any person afflicted with or suffering from physical or mental disability set out in GS 20-9 (e) or who is otherwise qualified to obtain a license provided person submits certificate to Department as herein provided. License to continue in force as long as licensee presents required medical certificate to Department one year from date of issuance of license and at yearly intervals thereafter; Commissioner may require certificate at six months intervals if public safety demands; in no event shall license be valid beyond birthday of licensee in fourth year following year of issuance at which time license is subject to renewal. (2) Department not to issue license unless applicant has submitted to physical examination by a physician or surgeon licensed in State and unless examining physician or surgeon has completed and signed required certificate. Certificate to be devised by Commissioner with advice of qualified experts and shall be designed to gather maximum medical information necessary to aid in determining whether it would be a hazard to public safety to permit applicant to operate motor vehicle; certificate to contain waiver of privilege and recommendation of examining physician to Commissioner whether license should be issued to applicant. (3) Provides commissioner not bound by recommendation of examining physician but to give fair consideration to same, with burden of proof on question of whether it appears that it is safe to permit applicant to operate a motor vehicle, upon applicant; Commissioner may be guided in his decision on license by opinions of experts in field of diagnosing and treating specific physical or mental disorder suffered by applicant or by any other factors which bear on issue of public safety. (4) Provides that denial of license by Commissioner may be reviewed by reviewing board upon written request of applicant filed with Department within 10 days after receipt of such denial. Reviewing board to consist of Commissioner or designated representative and four persons designated by Board of Health. Persons designated by Chairman of State Board of Health to be either members of Board or licensed physicians in State. Provides for per diem and expenses for members of reviewing board same as Board. Commissioner or authorized representative plus any two members designated by chairman of Board to constitute quorum. Sets out detailed procedure for hearings to include (a) reasonable notice

not less than 10 days to applicant with notice of hearing to be in writing and to be delivered to applicant in person or sent by registered mail, (b) right of applicant to subpoena witnesses or documents, (c) hearing to be continued upon motion of applicant for good cause shown with approval of board, (d) board to pass upon admissibility of evidence at hearing but applicant affected permitted to object to board's ruling and if evidence offered by applicant rejected, party may proffer evidence with such proffer to be made part of record, (e) decisions and order adverse to applicant to be in writing or stated in record to be accompanied by findings of fact and conclusions of law with actions of reviewing board subject to judicial review pursuant to CS 143, Art. 33. Provides that applicant or licensee denied a license pursuant to a hearing before board may not file new application until expiration of two years after date of such denial by board. Provides further that all records and evidence collected and compiled by Department and reviewing board not public records and to be made available to public only upon court order with information furnished by or on behalf of applicant under act to be without prejudice and for use of Department, reviewing board or court in administering this act but not to be used in any manner as evidence or for any other purpose in criminal or civil trial.] To Highway Safety.

HB 1042 - Introduced by Edwards and others

"To amend Chapter 58 of the General Statutes relating to town or county mutual insurance companies." [Amends GS 58-77(5)(d) to authorize town or county mutual insurance companies to also cover in same policy other hazards usually insured against under homeowners or farmowners policies when hazards are 100% reinsured at all times and copies of reinsurance contracts are filed with Insurance Department.] To Corporations.

HB 1043 - Introduced by Eagles

"To create an office of statistical services within the Department of Administration, and to appropriate funds therefor." [Identical with SB 488, digested in the Senate section of today's bulletin.] To Appropriations.

HR 1044 - (Joint Resolution) Introduced by Bowles and others

"Memorializing the President of the United States, and our sister states to ask the Congress of the United States to repeal the tax exempt status of certain industrial revenue bonds." [As title indicates, requests that interest received by owners of industrial revenue bonds be subject to all applicable federal income tax laws. Secretary of State to send President and Governors certified copies of resolution.] Passed three readings and sent to Senate.

HB 1045 - Introduced by McMillan of Robeson

"Relating to the responsibility of the State Board of Education and the Office of the Attorney General for defense of state tort claims resulting from school bus accidents." [Identical with SB 490, digested in the Senate section of today's bulletin.] To Education.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1039 - (Craven) Introduced by Godwin, Sugg, and Taylor

"To amend Chapter 130, Session Laws of 1967, relating to the appointment of members of boards of education of the respective counties in North Carolina." [Identical with SB 485, digested in the Senate section of today's bulletin.] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 83 - Teachers summer expenses. Reported favorably.
SB 126 - Bakery license tax. Reported favorably.

SB 135 - Glue sniffing prohibition. Reported favorably.
SB 155 - Chain store tax exemption. Reported favorably.
SB 174 - Revenue bond sales. Reported favorably.
SB 289 - Local jail law revision, as amended in Senate 5/16. Received from Senate; sent to Penal Institutions.
SR 290 - (Joint Resolution) Jail study commission, as amended in Senate 5/16. Received from Senate; sent to Penal Institutions.
SB 357 - Self-liquidating projects (1). Received from Senate and placed on calendar; postponed to May 18.
SB 359 - Self-liquidating projects (3). Received from Senate and placed on calendar; postponed to May 18.
SB 381 - Gas users tax rebate. Passed third reading.
SB 393 - Warehouse act produce levy. Reported favorably.
SB 402 - Amends SB 181. Reported favorably.
SB 403 - Adoption residence requirement. Received from Senate; sent to Judiciary 1.
SB 404 - Adoption consent, as amended in Senate 5/16. Received from Senate; sent to Judiciary 1.
SB 405 - Welfare Department adoption, as amended in Senate 5/16. Received from Senate; sent to Judiciary 1.
SB 407 - Charity solicitation reports. Postponed to 5/19.
SR 481 - (Joint Resolution) Thanking legislative interns. Received from Senate; passed second and third readings.

HB 18 - Political contributions. Reported unfavorably.
HB 53 - Cross burning penalty, as amended in Senate 5/5. The following House conferees were appointed by the Speaker: Hamrick, Chairman, Ervin and Leatherman.
HB 146 - Election law codification, as amended in House 5/16. Floor amendment adopted deleting provision that all times specified in § 163-2 of bill (hours of primaries and elections) shall be Eastern Standard Time (corrects reconsidered amendment intended to achieve same change). Passed third reading.
HB 149 - Secret society disguises (Senate committee substitute, 5/4). Passed second and third reading.
HB 160 - Driver's license photos. Reported unfavorably.
HB 251 - Uniform Commercial Code changes. (House committee substitute, 5/12.) Floor amendments adopted specifying that filing officer shall not be liable for certificate issued by him on request showing existence of certain financing statements and adding new GS 25-7-209(3)(c) entitling holder of security interest of property stored under section (warehousemen's liens) to possession under writ or other process upon payment of fair fractional portion of total storage charges reasonably allocable to storage of property described when he has instituted proceedings for recovery of possession of property. Passed third reading.
HB 356 - Water-air resources board (House committee substitute 5/16). Postponed to 5/18.
HB 384 - Appalachian State name change. Reported favorably.
HB 400 - Forty year title clear (House committee substitute, 5/16). Re-referred to Judiciary 1.
HB 456 - Education assistance changes. Reported favorably.
HB 531 - District judge vacancies. Passed second reading.
HB 545 - Perpetual care cemeteries (House committee substitute, 5/10). Floor amendment adopted providing that in counties with population less than 35,000 according to latest federal decennial census, tract for proposed mutual burial association cemetery must be 15 acres with options for such additional acreage as Burial Association Commissioner deems necessary (in substitute, minimum of 30 acres in all counties). Passed third reading.
HB 554 - Drainage district petitions. Passed second and third readings.
HB 563 - Realty stamp tax. Reported favorably.

HB 594 - Vehicle liability coverage. Reported favorably as to committee substitute as amended. Committee substitute and amendment adopted providing that motor vehicle liability policy need not insure "against loss from any liability for which benefits are in whole or in part either payable of required to be provided under any workmen's compensation law nor any liability for damage to property owned by, or rented to, in charge of or transported by the insured" (in original bill, need not insure "any liability under any workmen's compensation law nor any liability for damage to property owned by, rented to, in charge of or transported by the insured").
HB 691 - Car insurance, license penalty. Passed third reading.
HB 699 - Garbage work by prisoners. Reported favorably.
HB 738 - Coupled vehicle length. Reported favorably as amended.
HB 775 - 11th District Court Reporter pay. Passed second and third readings.
HB 796 - Public contracts revision. Amended to add new section providing that in article to contravene any statutory authority of Purchase and Contract Division of Department of Administration. Passed second reading.
HB 814 - License examiner benefits. Passed second and third readings.
HB 822 - Self-liquidating projects (2). Postponed to 5/18.
HB 823 - Self-liquidating projects (1). Postponed to 5/18.
HB 824 - Self-liquidating projects (3). Postponed to 5/18.
HB 900 - Agricultrual reserach vote. Reported favorably.
HB 917 - Advances on revenue bonds. Reported favorably.
HB 923 - Veterinarians registration fee. Passed third reading.
HB 924 - Charity solicitation reports. Postponed to 5/19.
HB 937 - Drunk-drugged driving punishment. Re-referred to Judiciary 1.
HB 976 - Sweet wine manufacture. Reported favorably.
HB 987 - Omnibus JP appointments. Reported favorably as amended.
HB 1014 - Health Insurance Advisory Board. Reported favorably.
HB 1018 - Fruit-vegetable research funds. Reported favorably; re-referred to Appropriations.
HR 1023 - (Joint Resolution) Honoring Law Day. Passed second and third readings.
HR 1024 - (Joint Resolution) Honoring Dr. Reid. Passed second and third readings.

LOCAL BILLS

SB 186 - (Rockingham) Closing out sale. Passed.
SB 247 - (Union) Waxhaw land sale. Passed.
SB 282 - (McDowell) Judge and attorney salaries. Passed.
SB 296 - (Buncombe) Assistant, deputy court clerks. Passed.
SB 339 - (Cumberland) County zoning. Passed.
SB 395 - (Cleveland) Recorders court cases, as amended in Senate 5/11. Passed.
SB 424 - (Craven) County zoning. Passed.

HB 434 - (Polk) Saluda township JP. Reported unfavorably.
HB 509 - (Cabarrus) Jurors. Passed.
HB 551 - (Rutherford) Criminal jurisdiction. Passed.
HB 559 - (Surry) JP fees. Passed.
HB 622 - (Macon) Building permits. Passed.
HB 693 - (Madison) Jury commission pay. Passed.
HB 695 - (Graham) Robbinsville police. Passed.
HB 701 - (Onslow) ABC tax. Reported unfavorably.
HB 704 - (Gaston) Belmont council salaries. Passed.
HB 740 - (Caldwell, Rutherford, Vance) CSC filing of papers. Amendment adopted making act applicable only to Rutherford County. Passed.
HB 756 - (Careteret) Commissioners law practice. Passed.
HB 778 - (Beaufort) Police association. Passed.

HB 794 - (Northampton) Game taking penalties. Passed.
HB 812 - (Johnston) County offices. Passed.
HB 855 - (Lee) Sanford Charter revision, as amended in House 5/15. Passed third reading.
HB 866 - (Anson) Wadesboro volunteer fire hall. Passed.
HB 964 - (Carteret) Beaufort open space taking. Passed.
HB 971 - (Sampson) Roseboro ABC profits. Passed.
HB 979 - (Dare) Register's fees. Passed.

BILLS RATIFIED

SB 111 - Driver's license photos, as amended in Senate 4/3 and in House 5/15. [Ch.509]
HB 394 - Drunk driving jail term. [Ch. 510]
HB 587 - Bang's disease, as amended in Senate 5/12. [Ch. 511]
HB 789 - State condemnation procedure. [Ch. 512]

Next session of House: 11:30 a.m., Thursday, May 18, 1967.

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BULLETIN NO. 72

Thursday, May 18, 1967

Session: Senate -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 501 - Introduced by Norton
"Appropriating funds for Davidson's Fort Historic Site." [As title indicates. Appropriates $44,300 to Department of Archives and History to complete Davidson's Fort visitor center museum, including equipping same with exhibits, and to conduct research and planning for further development of project.] To Appropriations.

SB 502 - Introduced by Norton by request
"To appropriate funds to the North Carolina Rhododendron Festival, Inc." [As title indicates. Appropriates from General Fund $8,000 for July 1, 1967 - June 30, 1969 Biennium ($4,000 for each year thereof) to NC Rhododendron, Inc., of Bakersville for advertising and promoting festival and for travel expenses in promoting tourist industry in NC. Effective July 1, 1967.] To Appropriations.

SB 505 - Introduced by Burney by request
"To provide for the licensing of osteopathic physicians to practice medicine and surgery and to abolish the Board of Osteopathic Examination and Registration." [Identical with HB 1069, digested in House section of today's bulletin.] To Judiciary 2.

SR 506 - (Joint Resolution) Introduced by Evans and others
"Designating June 14 as Flag Day in North Carolina." [As title indicates.] To State Government.

SB 507 - Introduced by Griffin
"To authorize municipalities to utilize blanket fidelity bonds as an alternative to certain individual fidelity bonds." [Adds to GS 160-277 (municipal officials' fidelity bonds) provision that cities and towns may adopt blanket fidelity bonding as an alternative to individual bonding as may be required; adoption of blanket bonding exempts such municipalities from statutory requirements of individual bonds. Identical with HB 1062.] To Judiciary 2.

SB 508 - Introduced by Griffin
"To extend to all cities and towns the authority to issue general obligations bonds and to levy the required taxes for the payment of principal and interest thereof." [Re-enacts third paragraph of GS 160-397 (municipal ad valorem taxing power for indebtedness retirement) for purpose of making authority therein granted applicable to all cities and towns. Directs Revisor of Statutes to make appropriate indication of re-enactment in General Statutes. Effective July 1, 1967. Identical with HB 1061.] To Judiciary 2.

SB 509 - Introduced by Warren

"To repeal G.S. 160-13, G.S. 160-14, G.S. 160-15, and G.S. 160-16, relating to mayor's court." [Repeals sections as indicated (effect of which is to phase out mayor's court), effective as follows: upon ratification in counties comprising 1st, 12th, 14th, 16th, 25th and 30th judicial districts; on first Monday in December 1968 in counties comprising 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 13th, 15th, 18th, 20th, 21th, 24th, 26th, 27th, and 29th judicial districts; on first Monday in December 1970 in counties comprising 17th, 19th, 22nd, 23rd and 28th judicial districts.] To Courts and Judicial Districts.

SB 510 - Introduced by Evans and others

"Appropriating funds to the Daniel Boone native garden at Boone." [Identical with HB 1060 digested in House section of today's bulletin.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 500 - (Durham) Introduced by Currie

"Redefining and establishing the corporate limits and boundaries of the City of Durham, and amending Section 2 of the charter of the City of Durham." [As title indicates, amends SL 1921, Ch. 142 by setting out corporate limits by metes and bounds.] To Counties, Cities and Towns.

SB 503 - (McDowell) Introduced by Norton

"To amend the Charter of the Town of Old Fort, so as to authorize the Town to levy taxes and issue bonds and notes as provided by the General Statutes of North Carolina." [Amends SL 1911, Ch. 271 authorizing board of alderman to levy taxes as provided in General Statutes (now, separate authority for various taxes set out in SL 1911, Ch. 271 as amended by SL 1927, Ch. 213), and empowers board to issue notes and bonds in accordance with General Statutes provisions (now, provides for redemption of property purchased for town).] To Finance.

SB 504 - (Lee) Introduced by Burney and Morgan

"To amend Chapter 888, Session Laws of 1961, relating to the salary of the supervisor of ABC stores in the City of Sanford." [As title indicates, increases annual salary from $6,000 to $8,000.] To Propositions and Grievances.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 103 - Uniform Com'l Code changes. Reported favorably as to committee substitute Committee substitute adopted identical to House committee substitute as digested in Bulletin No. 68, page 650 on Friday, May 12, 1967.

SB 228 - Municipal electric changes. Reported unfavorably.

SB 272 - Loan association investments. Amended to require service corporations invested in by savings and loan corporations to be 100% (now, 90% engaged in activities of selling and servicing loans made by N. C. savings and loan associations. Passed second and third readings.

SB 398 - Lloyds insurance associations. Passed second and third readings.

SB 399 - Advancement school funds. Reported favorably; re-referred to Appropriations.

SB 453 - State Soil Committee Sess. L. Reported favorably.

SB 457 - Sanitary district advances. Reported favorably.

SB 469 - Industrial Commission appeals. Reported favorably as amended.

SB 470 - Tort claim appeals. Reported favorably as amended.

HB 146 - Election law codification, as amended in House 5/16 and 5/17. Received from House; sent to Elections and Election Laws.
HB 251 - Uniform Com'l Code changes. (House committee substitute 5/12), as amended in House 5/17. Received from House and placed on calendar for May 19.
HB 316 - Militia amendment. Technical amendment adopted. Passed second and third readings.
HB 468 - Veterans guardianship changes. Technical amendment adopted. Passed second and third readings.
HB 504 - Proof of laws, as amended in House 4/26. Reported favorably.
HB 548 - Veterans' employment preference. Passed second and third readings.
HB 554 - Drainage dist. petitions. Received from House; sent to Judiciary 2.
HB 775 - 11th Dist. ct. reporter pay. Received from House; sent to Courts and Judicial Districts.
HB 814 - License examiner benefits. Received from House; sent to State Government.
HB 922 - Guilford 200-year commission. Passed second and third readings.
HB 923 - Veterinarians registration fee. Received from House; sent to State Government.
HB 1044 - (Joint Resolution) Taxing industrial revenue bonds. Received from House and placed on calendar. Passed second and third readings.

LOCAL BILLS

SB 334 - (Gaston) County school board. Committee substitute adopted that changes from 60 to 75 the maximum number of days given county board of elections to hold school board election after enactment of bill. Primary run offs eliminated from original bill. Vacancies to be filled by remaining elected board members (originally, by county board of comm'rs). School board to elect county superintendent for two year term or until successor is elected (originally, board to appoint county superintendent annually). School board members to receive $15 per meeting not to exceed 12 meetings per year (originally, members to be reimbursed for actual expenses), and other technical changes.
SB 455 - (Haywood) Waynesville ABC election. Passed.
SB 485 - (Craven) School board appointee. Passed.

HB 509 - (Cabarrus) Jurors. Received from House; sent to Courts and Judicial Districts.
HB 551 - (Rutherford) Criminal jurisdiction. Received from House; sent to Courts and Judicial Districts.
HB 559 - (Surry) JP fees. Received from House; sent to Courts and Judicial Districts.
HB 608 - (New Hanover) Home tax rule. Passed.
HB 622 - (Macon) Building permits. Received from House; sent to Local Government.
HB 693 - (Madison) Jury commission pay. Received from House; sent to Local Gov't.
HB 695 - (Graham) Robbinsville police. Received from House; sent to Local Gov't.
HB 704 - (Gaston) Belmont council salaries. Received from House; sent to Salaries and Fees.
HB 726 - (Columbus) Peace officers' association. Passed.
HB 727 - (Columbus) Whiteville charter revision. Amended to delete requirement that property owners keep sidewalks abutting their property in good repair and to delete authority of city council to provide for repair of sidewalks with costs becoming lien on owners property. Passed second reading.
HB 741 - (Avery) Commissioners meeting dates. Passed.
HB 756 - (Carteret) Commissioners' law practice. Received from House; sent to Judiciary 2.
HB 764 - (Columbus) Municipal ABC vote. Passed.

HB 770 - (Catawba) Tax prepayment discount. Passed.
HB 778 - (Beaufort) Police association. Received from House; sent to Courts and Judicial Districts.
HB 794 - (Northampton) Game taking penalty. Received from House; sent to Wildlife.
HB 812 - (Johnston) County offices. Received from House; sent to Local Gov't.
HB 830 - (Richmond) Hamlet comm'r terms. Passed.
HB 843 - (Mecklenburg) Charlotte underground. Passed.
HB 846 - (Rockingham) Subdivision control authority. Passed.
HB 861 - (Lincoln) Municipal incorporation. Passed.
HB 863 - (Lincoln) Alderman's interward moves. Passed.
HB 866 - (Anson) Wadesboro volunteer fire hall. Received from House; sent to Local Government.
HB 915 - (Wilson) Comm'rs appoint list takers. Passed.
HB 927 - (Ashe) Idlewild school sale. Passed.
HB 964 - (Carteret) Beaufort open space taking. Received from House; sent to Judiciary 2.
HB 971 - (Sampson) Roseboro ABC profits. Received from House; sent to Local Gov't.
HB 979 - (Dare) Register's fees. Received from House; sent to Courts and Judicial Districts.

BILLS RATIFIED

SB 25 - Highway patrol planes, as amended in House 5/4 and 5/16. [Ch. 513]
SB 186 - (Rockingham) Closing-out sales. [Ch. 514]
SB 247 - (Union) Waxhaw land sale. [Ch. 515]
SB 282 - (McDowell) Judge and attorney salaries. [Ch. 516]
SB 296 - (Buncombe) Assistant, deputy court clerks. [Ch. 517]
SB 339 - (Cumberland) County zoning. [Ch. 518]
SB 381 - Gas users tax rebate. [Ch. 519]
SB 395 - (Cleveland) Recorder's Court cases, as amended in Senate 5/11. [Ch. 520]
SB 424 - (Craven) County zoning. [Ch. 521]
SR 481 - (Joint Resolution) Thanking legislative interns. [R 51]

HB 149 - Secret society disguises. [Ch. 522]
HB 363 - Post-conviction amendments. [Ch. 523]
HB 914 - (Wilson) Temporary court quarters. [Ch. 524]
HB 938 - (Wake) Wake Forest prosecutor. [Ch. 525]
HB 1023 - (Joint Resolution) Honoring Law Day. [R 49]
HB 1024 - (Joint Resolution) Honoring Dr. Reid. [R 50]

Next session of Senate: 10:00 a.m., Friday, May 19, 1967.

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BULLETIN NO. 72

Thursday, May 18, 1967

Session: House -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1046 - Introduced by Burden by request
"To increase the fees for issuance or re-issuance of operator's license and chauffeur's license, to increase fee for duplicate license and to establish a fee for learners' permits." [Amends GS 20-7(i) by raising fee for issuance or re-issuance of operator's license from $2.50 to $4.00, for chauffeur's license from $4.00 to $5.00, and by adding fee of $1.00 for issuance of temporary learner's permit pursuant to GS 20-11(b). Amends GS 20-14 by raising from $.50 to $1.00 fee for replacement of lost or destroyed license, and by adding provision authorizing replacement for $1.00 in case of change of name or address upon surrender of license.] To Roads.

HB 1047 - Introduced by Burden
"To protect certain rare species of owls and hawks." [Amends GS 113-102 by deleting great horned owls, Cooper's hawks, and sharp skinned hawks from unprotected class of birds with effect of placing them in protected class for which unlawful to take or possess at any time; does not prohibit killing of these species when they are committing depredations as set out in GS 113-97.] To Wildlife Resources.

HB 1048 - Introduced by Burden
"To limit the possession, sale, purchase, transportation and exhibition of live big game animals." [Amends GS 113-91 to prohibit issuance of permit to collect or possess live deer or bear for exhibition purposes except to duly accredited representatives of schools or other institutions of learning, federal government engaged in scientific study of birds and animals, state game departments, State of North Carolina, or political subdivisions of NC operating nonprofit public zoos. Effective January 1, 1968.] To Wildlife Resources.

HB 1049 - Introduced by Burden
"To increase the minimum penalty for killing wild turkey out of season or by unlawful methods." [Amends GS 113-109(d) by increasing from $100 to $250 minimum fine which may be imposed for taking wild turkey during open season by unlawful method or during closed season.] To Wildlife Resources.

HB 1050 - Introduced by Roberson and Burrus
"To create a uniform system for the nomination and election of members of county boards of education in all counties of the state." [Amends GS 115-18 to provide for county board of education (hereinafter "school board") to consist of three to nine members, elected for 4-year terms, as herein provided (now, consists of the number of members appointed by General Assembly biennially, generally for 2-year terms, subject to local acts). Amends GS 115-19 to provide that General Assembly may designate number of members constituting school board, districts in which to run, and method of election under act; that, if not so designated, board shall consist of five members elected nonpartisan at large; that in nonpartisan elections candidates' names shall be printed on ballot without reference to party affiliation and any resident qualified voter is entitled to vote; that terms shall be staggered, with an appropriate number of 2-year terms for initial members (those receiving fewest votes); and that section shall not repeal local acts relating to elected boards (now, section provides for partisan nominations submitted to Superintendent of Public Instruction for transmission to chairmen of House and Senate education committees, from which names Assembly appoints board members). Adds to GS 115-20 provision that county board of elections shall file with State Board of

Elections statement of size and method of election of school board. Amends GS 115-22 to change date for taking oath of office of elected school board members from April to first Monday in December; omits reference to city school board members. Amends GS 115-23 to limit application of section expressly to filling vacancies in partisan nominations (now merely refers to "candidates"). Amends GS 115-24 to provide for filling of vacancies in elected school board membership by State Board of Education, to serve until next election (now filled by action of county executive committee until next General Assembly, and remainder of term by Assembly). Provides that Act not to apply to any county electing school board on effective date of Act. Effective July 1, 1967.] To Education.

HB 1051 - Introduced by Edwards and others

"To appropriate funds for the purchase of the home of Governor John Motley Morehead, known as 'Blandwood'." [Appropriates from General Fund to Department of Archives and History $100,000 for purchase of "Blandwood" on condition that sum is matched by like sum from non-state funds by June 30, 1969; if sum not matched by that date appropriation here made to revert to General Fund.] To Appropriations.

HB 1052 - Introduced by Phillips

"Relating to pensions of certain teachers and State employees who retired prior to 1941, and to make certain appropriations therefor." [Adds to GS 135-14 pension for any person who was teacher or State employee (as defined by GS 135-1) and separated from service prior to July 1, 1941 not due to any dishonorable cause and who was 65 on August 1, 1947 or was physically unable to work on that date. Monthly pension to commence on July 1, 1967 at rate of $4 per year of service if service was for minimum of 15 years; benefits not to exceed $80 per month. Appropriates $30,000 for 1967-69 from General Fund for this purpose. Effective July 1, 1967.] To Appropriations.

HB 1056 - Introduced by Greenwood

"To amend Article 21, Chapter 116, of the General Statutes of North Carolina to authorize the issuance of revenue bonds for faculty housing and revenue producing parking facilities." [Amends GS 116-187 by adding housing of faculty and revenue producing parking decks or structures to list of items for which education institutions may issue revenue bonds. Amends GS 116-189 to include within the meaning of "project" any one or more buildings or facilities for faculty housing and revenue producing parking decks or structures of size or type approved by board of trustees of institution and Advisory Budget Commission as well as improvements or additions to such buildings now or hereafter existing and interests in land, furnishings, equipment, and parking facilities.] To Appropriations.

HB 1060 - Introduced by Tate

"Appropriating funds to the Daniel Boone Native Garden at Boone." [Appropriates from General Fund to Daniel Boone Native Garden at Boone $7,500 to make physical improvements in and to purchase additional plants and shrubs. Effective July 1, 1967. Identical with SB 510.] To Appropriations.

HB 1061 - Introduced by Mills of Anson

"To extend to all cities and towns the authority to issue general obligations bonds and to levy the required taxes for the payment of principal and interest thereof." [Identical with SB 508, digested in Senate section of today's bulletin.] To Finance.

HB 1062 - Introduced by Mills of Anson

"To authorize municipalities to utilize blanket fidelity bonds as an alternative to certain individual fidelity bonds." [Identical with SB 507, digested in Senate section of today's bulletin.] To Finance.

HB 1063 - Introduced by Haynes
"To authorize the State Board of Education to increase sick leave with pay for teachers from five to seven days." [As title indicates; effective July 1, 1967.] To Education.

HB 1064 - Introduced by Leatherman
"To appropriate certain funds to pay for a portion of construction costs for a building or facility of Appalachian State Teachers College to be used as a continuing education center." [As title indicates; appropriates from General Fund of State $100,000 to be made available to Appalachian State Teachers College for facility to be made available to faculty, alumni, general public and designated groups, associations and professions.] To Appropriations.

HB 1065 - Introduced by Leatherman
"To compensate certain members of the faculty of Appalachian State Teachers College for the destruction of professional libraries and books totally destroyed by the fire which destroyed the Administration Building of said college." [Appropriates from General Fund to cited college $31,829 to be allocated by chief financial officer to faculty members according to losses suffered from Administration Building fire. Funds to compensate for loss of professional books, research papers, reference works and other auxiliary books used by faculty members for instruction and other college purposes.] To Appropriations.

HB 1066 - Introduced by Leatherman
"To compensate Applachian State Teachers College for losses resulting from the destruction of the administration building by fire." [Appropriates $78,755.46 from General Fund to Appalachian State Teachers College to purchase equipment lost in fire that destroyed administration building of College.] To Appropriations.

HB 1067 - Introduced by Collins and others
"To authorize a bank to secure certain deposits of charitable funds made by trustees." [Authorizes banks serving as trustee's depository of charitable funds, upon trustee's request, to secure deposits (to extent they exceed amount insured by FDIC) by lodging with trustee US government bonds, NC state bonds, county bonds, municipal bonds, or any combination.] To Banks and Banking.

HB 1068 - Introduced by Staton and Ervin by request
"To exempt from jury duty members of the North Carolina National Guard." [As title indicates.] To Courts and Judicial Districts.

HB 1069 - Introduced by Johnson of Duplin and Mills of Anson
"To provide for the licensing of osteopathic physicians to practice medicine and surgery and to abolish the Board of Osteopathic Examination and Registration." [Provides for osteopathic college graduates to be eligible under GS Ch.90 for license examination to practice medicine and surgery and to be subject to regulation by Board of Medical Examiners. Provides that Board of Medical Examiners (GS 90-2) to consist of eight regularly graduated physicians (now, seven; all M.D.'s) with eighth(new) member to hold degree doctor of osteopathy (D.O.) and be appointed by Governor on recommendation of NC Osteopathic Society, Inc. (GS 90-3); adds to GS 90-9 (relating to examination for medical license) provisions that osteopathic applicants for examination must have graduated from osteopathic college approved, at time of graduation, by American Osteopathic Association and that medical college graduates applying for examination be graduated from medical colleges approved at time of graduation by AMA (now, requirement is "medical college in good standing"); adds requirement that examinees holding D.O. degree be examined in principals and practice of osteopathic medicine, by D. O. Board member, in addition to regular examination in other medical disciplines; adds requirement that all applicants be examined by number (as opposed to names, etc.) only. Amends GS 90-10 (relating to preliminary and final examinations by Board) to include osteopathic applicants in

same manner as medical applicants; adds conforming requirement that applicants for preliminary examination have completed study of required courses at AOA and AMA, respectively, approved schools. Adds to GS 90-13 (reciprocity) provision to license to NC practice of medicine and surgery, without examination, osteopaths licensed by Board of Medical Examiners or Board of Osteopathic Examiners of another state who have graduated from AOA approved osteopathic college. Amends GS 90-14 (relating to rescinding license) provision that Board may rescind license of any licensee claiming to treat ailments by system or school of treatment or practice other than that for which he holds "earned degree" (now, "license"). Deletes from GS 90-18 (practicing without license) exclusion pertaining to practice of osteopathy. Adds sections to GS Ch. 90, Art. 1 providing that within two months after effective date of act Board of Osteopathic Examination and Registration to transmit to sec'y of Board of Medical Examiners list of all osteopaths validly licensed to practice; within two months of receipt of list Board sec'y to issue licenses to practice medicine and surgery to all on list who qualify as follow: (1) graduated in or after 1940 from osteopathic college approved by American Osteopathic Association at date of graduation; (2) graduated at any date from osteopathic college approved by AOA at date of graduation and holds unrestricted and currently valid license to practice medicine or osteopathic medicine issued by another state and has in fact practiced under such license for period of not less than five years immediately prior to effective date of act. Provides that from and after date of receipt of license to practice medicine and surgery osteopathic physician to be subject to provisions of article including registration provisions of GS 90-15 and GS 90-15.1. Makes osteopathic physician failing to qualify for license to practice medicine and surgery under act subject to jurisdiction of Board of Medical Examiners provided that such physician practices in accordance with Art. 7 (Osteopathy) as revised by Act. Adds new GS 90-21.2 providing that within two months after effective date of act secretary of Board of Osteopathic Examination to transmit to Secretary of Board of Medicial Examiners all books, records and funds of Board of Osteopathic Examination. Upon performing such duties and upon complying with GS 90-21.1 Board of Osteopathic Examination to expire. Amends GS 90-132 by deleting provisions that Board may in its discretion dispense with examination of osteopathic physician authorized to practice in other states or territories who presents certificate to practice in such jurisdiction and that secretary of Board may grant temporary permit until regular Board meeting to one whom he considers eligible to practice in State and who desires to practice in State. Further amends cited section by requiring registration with Board of Medical Examiners during January of each year and substituting "Board of Medical Examiner" for "Board" wherever term appears in section. Rewrites GS 90-136 providing that Board of Medical Examiners may suspend or revoke license to practice osteopathy issued by State Board of Osteopathic Examination to osteopathic physician not of good moral character or for any of enumerated causes as stated in present law. (Now, provides that NC Board of Osteopathic Examination may refuse to issue or suspend or revoke such a license.) Amends GS 90-137 by deleting reference to "North Carolina State Board of Osteopathic Examination and Registration" and substituting "Board of Medical Examiners". Repeals GS 90-130 (membership and officers of NC Board of Osteopathic Examination), GS 90-131 (educational requirements, certification and examination of applicants), GS 90-133 (fees held by Board; salaries and payment of expenses) and GS 90-135 (record of certificates and fees for making such records). Effective July 1, 1967 except for those sections of act to become effective upon date that State Board of Osteopathic Examination ceases to exist pursuant to GS 90-21.2. Identical with SB 505.] To Health.

HB 1070 - Introduced by High and others

"To exempt small sales made through one cent vending machines from sales and use taxes." [Amends GS 105-164.13 (enumerating exemptions from sales and use taxes imposed by Chapter 105, Article 5) to include sales from vending machines when sold by owner or lessee of machines at price of one cent per sale. Effective July 1, 1967. Identical with SB 170, digested in Bulletin No. 35 at page 267.] To Finance.

HB 1071 - Introduced by High and others

"To amend G.S. 20-185 to provide for certain benefits for uniform members of the license and safety inspection division." [Adds new GS 20-185(h) granting to all uniform members of License and Safety Inspection Division of Dept. of Motor Vehicles benefits now provided by GS 20-185(b), (c), (d), and (e) (relating generally to continued salaries in cases of incapacity from accidents in course of official duties) to members of State Highway Patrol. Effective July 1, 1967.] To State Personnel.

HB 1073 - Introduced by Mohn

"To amend G.S. 18-85, relating to the distribution of the tax on the sale of spirituous liquors." [Adds to GS 18-85 new subsection (e) providng that from taxes collected under subsections (a) and (b) generally, 10% and 2% tax on retail price of spirituous liquors) an amount equivalent to 50% be allocated and distributed to counties and municipalities wherein spirituous liquors are sold. Provides that amounts distributable to each county and municipality be determined upon basis of population as shown by latest federal decennial census, and that where such liquors be sold in both county and its municipalities allocation of such amounts be made to county on basis of population, including its municipalities, and to its municipalities on basis of their population. Provides further, that if such liquors sold in one or more municipalities in county where sale of such liquors is prohibited outside of said municipalities, allocation of amounts to be made to municipality or municipalities on basis of population. Authorizes Commissioner of Revenue to determine amounts distributable to each county and municipality for period July 1, 1967 to September 30, 1967, inclusive, and to distribute such amounts within 60 days thereafter with Commissioner thereafter to determine annually amounts distributable to each county and municipality for each twelve month period ending September 30 and to distribute amounts within 60 days thereafter. Effective July 1, 1967.] To Counties, Cities and Towns.

LOCAL BILLS

HB 1053 - (Greene) Introduced by Horton

"To amend Chapter 368 of the Private Laws of 1909 to provide four ye ar terms of office for the mayor and commissioners of the town of Snow Hill." [Amends cited charter to provide that regular city election shall be held biennially in odd-numbered years. Commencing in 1969, mayor and five commissioners to be elected with three high candidates for comm'r elected for 4-year terms and other two elected for 2-yr terms. In 1971 and quadrennially thereafter, two comm'rs to be elected for 4-year terms and in 1973 and quadrennially thereafter, mayor and three comm'rs to be elected to serve 4-yr terms. Vacancies to be filled by membership for unexpired term.] To Counties, Cities and Towns.

HB 1054 - (Greene) Introduced by Horton

"To amend Chapter 248, Session Laws of 1961, relating to the compensation of the chairman and members of the Board of County Commissioners of Greene County." [Amends SL 1961, Ch. 248 to set salary of chairman of county comm'rs at $30 per diem and other members of board at $25 per diem. (Now, commissioners by majority vote authorized to fix per diem of chairman at not over $20 and per diem of members at not over $15.) Effective July 1, 1967.] To Counties, Cities and Towns.

HB 1055 - (Greene) Introduced by Horton

"To fix salary of the chairman and members of the Board of Education of Greene County." [Sets salary of chairman of Greene county school board at $30 per month and other members of board at $25 per month. Effective July 1, 1967.] To Counties, Cities and Towns.

HB 1057 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones

"To amend Chapter 713 of the Session Laws of 1965, being the Charter of the City of Charlotte in Mecklenburg County." [Amends cited charter to provide that if Charlotte Park and Recreation Commission ceases to exist and is replaced by Charlotte-Mecklenburg Park and Recreation Commission, then proceeds of license fees for boxing and wrestling exhibitions to be paid to new commission.] To Counties Cities and Towns.

HB 1058 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones

"To amend Chapter 835 of the Session Laws of 1947 concerning the division of profits from liquor stores." [Amends SL 1947, Ch. 835 by adding provision that if Charlotte Park and Recreation Comm'n is replaced by Charlotte-Mecklenburg Park and Recreation Comm'n, City of Charlotte to pay 5% of net profits allocated to it to new joint comm'n rather than existing comm'n.] To Counties, Cities and Towns.

HB 1059 - (Burke) Introduced by Ervin

"To amend G.S. 160-181.2 relating to extraterritorial zoning jurisdiction so as to make the same applicable to Glen Alpine in Burke County." [Amends GS 160-181.2 to give Glen Alpine extraterritorial zoning jurisdiction notwithstanding fact that it does not meet population requirement of 1,250.] To Judiciary 1.

HB 1072 - (Pender) Introduced by Mohn

"To amend Chapter 9 of the General Statutes, relating to fees of jurors in the Superior Court in Pender County." [Amends GS 9-5 to provide that in Pender County all jurors in superior court receive $10 per day for their service.] To Courts and Judicial Districts.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 289 - Local jail law revision, as amended in Senate 5/16. Reported favorably.

SR 290 - (Joint Resolution) Jail study commission, as amended in Senate 5/16. Reported favorably.

SB 302 - Cemetery desecration, as amended in Senate 5/10. Reported favorably as amended.

SB 328 - 4th Dist. Ct. Reporter pay. Received from Senate; sent to Courts and Judicial Districts.

SB 357 - Self-liquidating projects (1). Passed second reading.

SB 358 - Self-liquidating projects (2), as amended in Senate 5/15. Received from Senate and placed on calendar. Postponed to 5/19.

SB 359 - Self-liquidating projects (3). Passed second reading.

SB 393 - Warehouse act produce levy. Passed second reading.

SB 447 - State salvage interests, as amended in Senate 5/17. Received from Senate and placed on calendar. Passed second and third readings.

SR 495 - (Joint Resolution) Honoring Law Day. Received from Senate and placed on calendar. Passed second and third readings.

HB 5 - Discretionary revocation. Reported favorably as to committee substitute. Committee substitute adopted adding to GS 20-309(d) provision that when owner of motor vehicle registered in State establishes to satisfaction of Commissioner of Motor Vehicles that vehicle so registered was in storage or was not being operated upon public highways at time that insurance lapsed, Commissioner may waive provisions of Act and permit owner to retain registration plates for vehicle, and driver's license even though financial responsibility was not being maintained.

HB 280 - Child care licensing. Reported favorably as to committee substitute. Committee substitute adopted as follows: Requires every operator of any program or facility for part-time care of five or more children away from home by persons other than relatives to have child care facility license or provisional license issued by State Board of Health. Retains other portions of original GS 130-227 except adds provision that article does not apply to summer camping programs and deletes provision that article does not apply to facility subject to regulation of State Board of Education. Authorizes licensing of any child care facility which meets following child care requirements: provides at least following staff member-child ratios: (1) infants to two years--six per staff member, (2) two to three years--ten per staff member, (3) three to four years--twelve per staff member, (4) four to five years--fifteen per staff member, (5) five years old and over--seventeen per staff member; specifies that no child or group of children to be supervised at any one time unless at least two staff members on duty in child care facility (term "staff member" for this purpose includes maids and kitchen personnel who spend part time working directly with children) and that in applying requirement board to consider total child-staff ratio and fact that ("if it exists") enrollment in any particular age group may be fewer than number for which at least one staff member required or fewer than any multiple of that number; requires for each child a medical certificate from licensed physician certifying that he is free from communicable disease and setting forth any condition discovered by examining physician requiring special care, diet, or treatment and setting forth special required treatment--certificate must be renewed at least annually; requires immunizations of all children pursuant to GS Ch. 130, Article 9; requires children under one year to be under process of immunization as certified by physician; specifies that no medical certificate required for child who is and has been in normal health and whose parent or guardian objects in writing to medical examination on religious grounds; requires at least one sanitary toilet facility and one sanitary lavatory for each twelve children excluding those in diapers, but for children kept four or fewer hours per day requires one sanitary toilet facility and one sanitary lavatory for each twenty children excluding those in diapers; specifies that each facility must have at least two toilet facilities and two lavatories, and that in determining toilet-lavatory requirements number of children considered to be 85% of total number enrolled at any one time; requires at least one cot, or baby bed with individual linen for each child for purposes of rest except for children kept four or fewer hours per day; requires every employee to have health card issued by board stating he is free from communicable diseases and from any physical condition undesirable in working closely with children, renewable annually; requires general sanitation permit pursuant to GS 72-46 and 72-47; requires minimum floor space including bathrooms and halls but excluding kitchens as follows: (1) for infants to two years--25 square feet per child, (2) for two years to three years--30 square feet, (3) for three years and over--35 square feet, but specifies that for facility keeping any one group four or fewer hours per day above footages to be reduced by five in each category and that in determining whether requirement met, number of children considered, to be 85% of number enrolled at any one time; requires enclosed outdoor play yard having at least 100 square feet per child with supervised play, weather permitting, for at least two hours per day but facility not required to provide outdoor play for children kept four or fewer hours per day; requires submission to inspection of fire hazards by local fire department or building inspector or by NC Commissioner of Insurance if no local inspection; requires maintenance of daily attendance records including medical history and application forms; requires facility to be in location free from conditions hazardous to physical or moral welfare of children; requires facility to have adequate sunlight, heat, ventilation and artificial lighting; requires 300 cubic feet of air space per child in rooms used for sleeping except for children kept four or fewer hours per day; requires plan for emergency medical care including names, addresses, and telephone numbers of family physicians, parents and guardians of each child.

Retains GS 130-230 (re-numbered as GS 130-229) with respect to provisional licensing. Deletes GS 130-229 providing for grading by State Board of Health with respect to Sanitation. Retains GS 130-231 (re-numbered as GS 130-230) with respect to misdemeanor to conduct operation without license except deletes 6-month limitation on imprisonment and provision authorizing both fine and imprisonment. Retains GS 130-232 (re-numbered as GS 130-231) with respect to duration of license and appeals, but makes clarifying changes and specifies that no license previously granted shall be considered revoked until all appellate procedures exhausted. Adds new section creating Advisory Committee to assist, advise, and consult with Board of Health in connection with administration of licensing program. Committee composed as follows: one day care consultant appointed by State Board of Welfare, one day care consultant appointed by State Board of Health, State Health Director, Pre-School Director in State Department of Public Instruction, one appointed by NC Mental Health Association, two appointed by NC Association for Children under Six, two appointed by NC Kindergarten Association, two appointed by NC Nursery School Association, and two appointed by NC Association of Licensed Day Care Facilities. Directs committee to appraise program and to make recommendations to State Board of Health and to NC General Assembly; terms of office to be 3-yrs commencing July 1, 1968 with vacancies filled and reappointments made by appointing agencies. Directs State Board of Health to pay travel and subsistence allowance to members who are not state employees at same rate as employees of board. Adds provision amending GS 72-46 and GS 72-47 by adding child care facilities to list of facilities subject to sanitary regulations and inspections by State Board of Health. Retains effective date of six months after ratification.

HB 356 - Water-air resources board, (House committee substitute 5/16). Passed second and third reading.

HB 384 - Appalachian State name change. Passed second and third readings.

HB 456 - Education Assistance changes. Passed second and third readings.

HB 531 - District judge vacancies. Passed third reading.

HB 563 - Realty stamp tax. Passed second reading.

HB 594 - Vehicle liability coverage, (House committee substitute 5/17). Passed second and third readings.

HB 699 - Garbage work by prisoners. Passed second and third readings.

HB 738 - Coupled vehicle length. Temporarily displaced.

HB 796 - Public contracts revision, as amended in House 5/17. Floor amendment adopted adding cashier's check to types of deposits required to accompany proposals. Passed third reading.

HB 822 - Self-liquidating projects (2). Amendment adopted adding provision increasing "unit cost" of faculty housing from $14,000 to amount not to exceed $17,500 and adds following amendment to Ch. 944 of 1965 session laws (present provisions in parenthesis):

"Western Carolina College

29A. 24 Faculty Housing

Units	Building 24 @ $17,500	$420,000	($420,000)
	Equipment	9,000	(9,000)
		$429,000	($429,000)
	Less Self-Liquidating	$429,000	($429,000)

Postponed to 5/19. -0-"

HB 823 - Self-liquidating projects (1). Temporarily displaced.

HB 824 - Self-liquidating projects (3). Temporarily displaced.

HB 875 - SHP accident reports. Reported unfavorably.

HB 893 - Farm implement title certif. Reported favorably as amended.

HB 900 - Agricultural research vote. Passed second and third readings.

HB 917 - Advances on revenue bonds. Passed second and third readings.

HB 920 - Amber wrecker lights. Passed second and third readings.

HB 926 - Realty license revocation. Passed second and third readings.
HB 935 - Dependent child definition. Passed second and third readings.
HB 945 - Work release earnings. Floor amendment adopted providing that Prison Department in its discretion may grant request made in writing by prisoner for a withdrawal for any purpose other than those priorities so specified in act. (Original provides that Department shall grant a request made in writing by prisoner as fifth priority in disbursement of prisoner's earnings.) Passed second and third readings.
HB 950 - Sanitary district regulations. Passed second and third readings.
HB 951 - Agreements on extension units. Passed second and third readings.
HB 955 - Auto manufacturers certificates. Passed second and third readings.
HB 956 - MV judicial sale notice. Passed second and third readings.
HB 968 - State salvage interests. Amendment adopted eliminating provision that expenses in excess of receipts are to be paid from Contingency and Emergency Fund. Postponed indefinitely.
HB 976 - Sweet wine manufacture, Passed second reading.
HB 987 - Omnibus JP appointments. Floor amendments adopted and committee amendments adding justices of peace in specified townships in following counties: Brunswick, Wilkes, Mitchell, Stanly, Wake, Rowan, Union and Yadkin. Floor amendment adopted deleting justice of peace in specified township in Martin County. Passed second and third readings.

LOCAL BILLS

SB 222 - (Wilkes) Surveyor registration. Withdrawn from Judiciary 2 and re-referred to Local Government.
SB 235 - (Camden) Commissioners' salaries. Passed.
SB 236 - (Camden) Coroner compensation. Passed.
SB 237 - (Camden) Comm'rs to fix employee pay. Passed.
SB 244 - (Camden) Additional sheriff's pay. Passed.
SB 311 - (Camden) School board compensation. Passed.
SB 349 - (Edgecombe) Tarboro Charter revision, as amended in Senate 5/8 and 5/10. Passed third reading.
SB 364 - (Onslow) Validating tax assessments. Passed third reading.
SB 485 - (Craven) School board appointee. Received from Senate and placed on calendar. Passed second and third readings.
HB 665 - (Moore) Robbins ABC vote. Passed.
HB 718 - (Gaston) Dallas ABC vote. Passed.
HB 769 - (Gaston) Restricting brown bag permits. Committee substitute adopted 5/17 providing that notwithstanding establishment of one or more alcoholic beverage control stores in Town of Kings Mountain, no permit to be issued by State Board of Alcoholic Control in Gaston County for purposes defined in GS 18-51(5) to any person until alcoholic beverage control store has been lawfully established in at least one other location in Gaston County. (Original provides that in event ABC control store established in Kings Mountain establishment of such store not to have effect of authorizing issuance of permits in Gaston County unless ABC control stores are authorized, established, etc., by Gaston County ABC Board.) Passed.
HB 864 - (Lincoln) Lincolnton ABC election. Amendment adopted to be digested in tomorrow's bulletin. Passed.
HB 942 - (Scotland) Commissioners' compensation. Passed.
HB 999 - (Harnett) ABC store election. Passed.

Next session of House: 9:30 a.m., Friday, May 19, 1967.

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GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 73

Friday, May 19, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED --SENATE

SB 511 - Introduced on May 18 by Byrd
"To provide for more equitable treatment of North Carolina citizens by foreign insurance companies." [Requires insurance carriers, upon written request of insured, to promptly certify to NC Dept. of Motor Vehicles whether or not a previously issued policy of liability insurance was in force on day designated. Failure to comply within five days of receipt of written request to result in suspension of insurance carrier's license to do business for period of 30 days. Effective July 1, 1967.] To Insurance.

SR 512 - (Joint Resolution) Introduced by Gentry
"Recommending investigation of the Pilot Mountain area for possible inclusion into the state parks system." [Identical with HB 1074, digested in the House section of today's bulletin.] To Conservation and Development.

SB 513 - Introduced by Briggs and Osteen
"To provide a uniform termination date for motor vehicle liability insurance policies." [Rewrites GS 20-310 to provide that insurance contracts or renewals to expire or terminate on 15th day of February or such other date as provided by law for illegality of continued use of vehicle registration plate and registration card (now, termination cannot be made less than 15 days after mailing notice by"certificate of mailing"to insured at latest address filed with insurer and notice to state requirement of financial responsibility). Insurance contracts or renewals not to be terminated prior to date given above except as follows: (1) upon cancellation by insured effective only upon giving 20 days notice to Dept. of Motor Vehicles; (2) death of insured; (3) insured violates any material terms of policy, provided that payment of premium not to constitute material part of policy (now, policy in effect for 60 days can be terminated if insured fails to meet any obligations in connection with payment of premium); (4) insured or other customary operator of automobile is convicted of or forfeits bail during policy period for, among other things, third violation of any moving traffic offense,for any one operator, within period of 12 months or life of policy (now, 18 months). Notice of cancellation by insurer to give statutory reason for cancellation (now, explanation given only if requested in writing by insured within five days of notice of termination). Act to apply to insurance contracts or renewals thereof made on and after July 1, 1967.] To Insurance.

SB 514 - Introduced by Alford by request and McLendon
"Prohibiting unauthorized insurers from transacting insurance business in this State; defining acts which constitute the transaction of business in this State; providing a method of obtaining jurisdiction over unauthorized insurers and

prescribing penalties and other remedies for violation of the law by unauthorized insurers." [Amends GS Ch. 58 (Insurance) by adding new Art. 3B entitled "Unauthorized Insurers". New GS 58-54.14 sets out purpose of act to abate and prevent practices of unauthorized insurers in State and to provide methods for effectively enforcing laws of State against such practices. GS 58-54.15 makes it unlawful for any company to enter into contract of insurance as an insurer or to transact insurance business in State without certificate of authority issued by Commissioner of Insurance provided following transactions excluded from such requirement: (1) procuring of policy of insurance upon risk within State where applicant is unable to procure coverage in open market with admitted companies; (2) contracts of reinsurance; (3) transactions in State involving lawfully solicited policy written and delivered outside State covering only subjects of insurance not resident, located or expressly to be performed in State at time of issuance and which transactions are subsequent to inssuance of policy; (4) transactions in State involving group or blanket insurance and group annuities where master policy lawfully issued and delivered in State where company authorized to transact business; (5) transactions in State involving all policies of insurance issued prior to effective date of act; and (6) procuring of contracts of insurance issued to "industrial insured". Provides that for purposes of section "industrial insured" is an insured (1) who procures insurance of any risk or risks by use of services of full-time employee acting as insurance manager or buyer, (2) whose aggregate annual premiums for insurance on all risks total at least $25,000, and (3) who has at least 25 employees. GS 58-54.16 provides that following acts if performed in State to constitute transacting insurance business in State: (1) maintaining agency or office where acts in furtherance of an insurance business are transacted; (2) maintaining files or records of contracts of insurance; (3) receiving payments of premiums for contracts of insurance; also any of following acts whether effected by mail or otherwise by an unauthorized insurer such as (4) issuance or delivery of contracts of insurance to residents of State or to corporations authorized to do business in State, (5) soliciting applications for contracts of insurance through use of US mail or any other media, (6) collections of premiums, membership fees, assessments or other considerations for such contracts, and (7) transacting any matter prior to or subsequent to execution of such contracts in contemplation thereof or arising out of them. Companies violating provisions set out above to be subject to penalty of not less than $100 nor more than $1,000 for each offense payable to Commissioner of Insurance who in turn to forward monies collected to county or counties wherein violation occurs. Provides that each day violation occurs to constitute a separate offense. GS 58-54.17 provides that failure of company to obtain certificate of authority not to impair validity of any acts or contracts of company with persons holding contracts of insurance of unauthorized insurer to bring action in State Courts under GS 58-153.1 and that failure of insurance company to obtain such certificate not to prevent such company from defending any action at law or suit in equity but company transacting insurance in State without certificate not to be permitted to maintain action at law or in equity to enforce any right, claim or demand arising out of transaction of such business until company obtains certificate.GS 58-54.18 authorizes Commissioner to enjoin and restrain companies in violation of act. GS 58-54.19 provides that any act of doing business inState such as entering into insurance contract to be equivalent to constituting an appointment by such company of Secretary of State to be its attorney on whom all lawful process in actions or proceedings against it arising out of violations of this act may be served. Sets out procedure for service of process with such service to have same legal force and validity as if service had been made personally in State. Provides that whenever service of process is made upon Secretary of State defendant foreign or alien insurer to have 30 days from date when defendant receives or refuses to accept registered mail containing copy of complaint in which to appear and answer complaint in action. Provides that no default judgment to be entered in any action until expiration of 30 days from date of filing of affidavit of compliance. Effective July 1, 1967 but not to apply to any contracts of insurance in effect before date of Act. Identical with HB 1083.] To Insurance.

SB 515 - Introduced by Alford and McLendon

"To prohibit domestic insurers from transacting insurance business in states and jurisdictions where they are not authorized to do a business of insurance and prescribing penalties for violation of prohibited act and transaction." [Adds new Art. 3C, "Unauthorized Insurance by Domestic Companies", to GS Ch. 58, providing for control of domestic insurance companies to prevent their engaging in insurance business in states and jurisdictions in which they are not authorized. Prohibits domestic insurers from transacting business in foreign states without authorization except: (1) where jurisdiction permits unauthorized insurer to issue insurance contracts; (2) where prospective insured is personally present and signs application in jurisdiction in which insurer is authorized; (3) where licensed insurer of foreign jurisdiction and domestic company enter into contracts of reinsurance; (4) where certificates are issued under lawfully transacted group life or group disability policy and where master policy was entered into in state in which insurer was authorized to transact business; and (5) where renewal or continuance of contracts otherwise lawful were not originally executed in violation of section. Prohibits domestic insurers from advertising in jurisdiction in which not licensed except for advertising through publications, radio or television if it is not expressly directed toward residents of foreign jurisdiction; advertising in trade journals or directories also not prohibited. Authorizes NC Insurance Commissioner to issue cease and desist order to company engaging in any activity prohibited by article, and to declare them unfair trade practices within meaning of GS 58-54.4 and GS 58-54.9; provides that Dept. must serve company with notice of hearing on violation and hearing to conform to procedure set forth in GS 58-54.6 and action taken must be in compliance with GS 58-54.7; company aggrieved by Commissioner's order entitled to judicial review as provided by GS 58-54.8. Adds new GS 58-54.4(10) declaring as unfair methods of competition and unfair and deceptive acts or practices in insurance business, solicitation, advertising, or entering into insurance contracts in foreign jurisdictions in which domestic insurer is not licensed in such jurisdiction. Effective July 1, 1967 but not to apply to any contracts of insurance in effect before this date. Identical with HB 1082.] To Insurance.

SB 516 - Introduced by Bailey

"To amend Chapter 58 of the General Statutes as it relates to title insurance companies." [Amends GS 58-134.1 (investment of capital) to provide that any real estate insurance company having capital stock of more than $50,000 may invest specified amount in abstract or title plants but that no such company to guarantee or insure in any one risk "on real property located in State" more than 40% of its combined capital and surplus without first getting approval of Commissioner of Insurance. (Quoted phrase is new.)] To Insurance.

SB 517 - Introduced by Gentry and White of Lenoir

"Creating a Board of Examiners for those engaged in the business of watchmaking or watch repairing and prescribing their duties and powers in North Carolina." [Sets out intent of act to protect public against abuses, misrepresentation, false advertising and incompetency in business of watchmaking and watch repairing. Makes it unlawful after January 1, 1968 for persons (1) to engage in repairing, replacing etc., parts of watches and manufacturing and fitting of parts designed to be used in watches without being a watchmaker registered pursuant to act, (2) to act or attempt to act as watchmaking apprentice without being registered as an apprentice, and (3) to operate watchmaking or watch repairing business unless it is under supervision of a registered watchmaker; provides that nothing in act to prohibit manufacturing of watches and their component parts in regularly constituted watch or clock factory duly designated by board of examiners herein created. Creates board of examiners consisting of five members to be appointed by Govenor within 60 days after July 1, 1967 to be known as "North Carolina State Board of Examiners in Watchmaking and Repairing" (Board). Sets out qualifications for membership on Board, terms of office, method of electing officers, and time of meetings. Provides that secretary of Board give bond to Board for $5,000 conditioned

upon faithful performance of his duties. Provides that all moneys received by Board under act to be paid to Board secretary who shall deposit same in designated depository. Authorizes each Board member to receive $15 per day while engaged in Board work plus $10 per day for subsistence and 10¢ per mile while traveling to and from regular Board meetings. Authorizes Board to promulgate its own rules and regulations provided that such rules not be adopted until after a public hearing with ample notice given. Also authorizes investigator of Board to enter any business engaged in watch repair during business hours upon receipt of written complaint directed to Board of alleged unauthorized or illegal practice. Sets out qualifications for apprenticeship and method of obtaining apprentice license. Provides that Board to conduct examinations for aspiring watchmakers at least two times a year at such times and places as Board determines. Sets out general purpose and nature of examination. Provides that resident of State engaged in watchmaking and watch repairing for more than one year prior to July 1, 1967 be granted license as registered watchmaker without examination provided that such application be made prior to January 1, 1969 and is accompanied by $10 fee. Requires display of license in conspicuous place in business and sets out fee schedule for applicants required to take examination ($25), applicants eligible by act for license without examination ($10), for renewal of licenses ($10), for restoration of expired licenses ($10) for filing an apprentice license ($10), for license to practice as apprentice ($5) and for apprentice license renewal ($5). Empowers Board to issue, revoke or suspend licenses upon specified grounds such as applicant or holder convicted of a felony or misdemeanor involving moral turpitude within five years of date of application for license or having engaged in any unethical practice or conduct including conduct of a character likely to mislead, deceive or defraud general public. Provides for hearing and proper notice to persons charged. Authorizes Board or any resident of county where person does business to enforce provisions of act by maintaining action in name of State to enjoin such person from engaging in said business or practice until license secured. Provides that persons so enjoined who disregard injunction to be held in contempt of court. Authorizes Board to recognize licenses issued by other states upon payment of $25 first year license fee and makes it a misdemeanor punishing by penalty of not less than $25 nor more than $100 for persons holding themselves out as watchmakers or repairers or who advertise such without being properly licensed or at all times operating business without personal supervision and management of registered watchmaker. Provides that sections of act held unconstitutional not to affect validity of other sections.] To Judiciary 1.

SB 518 - Introduced by McLendon and others

"Amending GS 20-279.2. relating to the limits of uninsured motorist coverage in motor vehicle liability insurance policies." [Amends cited section to provide that insured motorists are entitled to secure increased coverage of $20,000 because of bodily injury to or death of one person in any one accident (now, $10,000), and, subject to this limit for one person, $40,000 because of injury to or death of two or more persons in any one accident (now, $20,000 if policy of insured carries liability limits of equal or greater amounts for protection of third persons). Effective September 1, 1967, but to apply only to new and renewal automobile liability policies issued on or after that date.] To Insurance.

SB 519 - Introduced by Warren

"To invalidate certain requirements for indemnity in the construction industry." [Makes void and unenforceable covenants, promises, etc., in connection with contracts for construction, alteration, repair, or maintenance of buildings, structures, etc., to indemnify promisee against liability for damages arising out of bodily injury to persons or damage to property caused solely from negligence of promisee, his agents or employees. Act not to affect litigation pending at time of enactment.] To Judiciary 1.

SB 520 - Introduced by Dent
"To prohibit keeping captive animals to attract trade." [Adds new GS 14-363.1 making unlawful keeping wild animals or birds in captivity for public exhibition in connection with any business for purpose of attracting trade upon any street or highway or upon property in vicinity of commercial establishment; not to apply to exhibition by any educational institution, public agency, or zoological garden or in connection with any theatrical exhibition. Violators to be guilty of misdemeanor and to be fined or imprisoned in discretion of court.] To Agriculture.

SB 521 - Introduced by Dent
"To prohibit certain cruelties to animals." [Adds new GS 14-363.2 making unlawful to sell, offer for sale, barter, or give away baby chickens, ducklings, or other fowl, under three weeks of age, or rabbits under two months of age, as pets, toys, premiums, or novelties or to color, dye, stain or otherwise change natural color, or to bring or transport same in NC; act not to prohibit sale or display of baby chickens, etc., in proper facilities by breeders or stores engaged in business of selling for purposes of commercial breeding and raising. Violators to be guilty of misdemeanor and to be fined not more than $50 or imprisoned for period not exceeding 30 days or both.] To Agriculture.

LOCAL BILLS INTRODUCED -- SENATE

SB 522 - (Nash) Introduced by Alford
"To provide for the appointment of list takers in Nash County." Amends GS 105-287 to authorize Nash county commissioners to limit number of list takers appointed in county and to prescribe and allocate responsibility for tax listing and assessment in various townships (now, number of list takers specified by general law-one in each township except when horizontal adjustments in real property are made and in revaluation years)]. To Counties, Cities and Towns.

SB 523 - (Henderson) Introduced by Buchanan
"To amend Chapter 184, Session Laws of 1957, relating to county library tax in Henderson County." [Raises from 3¢ to 10¢ maximum tax on each $100 valuation of property that may be levied by county comm"rs for support and maintenance of Henderson County Public Library.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 103 - Uniform Commercial Code changes, (Senate committee substitute 5/18). Postponed indefinitely.
SB 292 - Omnibus court amendments. Reported favorably as amended.
SB 406 - Water Safety Committee. Reported favorably as amended.
SB 443 - Migratory waterfowl. Reported favorably.
SB 453 - State Soil Committee Sess. L. Passed second and third readings.
SB 457 - Sanitary district advances. Passed second reading.
SB 469 - Industrial Commission appeals. Amendments adopted requiring appellant to prepare a statement of case as required by rules of Court of Appeals (original requires "concise statement of case stating separately, in articles numbered, the errors alleged"), and copy of statement to be served on respondent within 45 days (original 15) from entry of appeal and within 20 days (original 10) after such service respondent to return copy with his approval or specified amendments endorsed or attached, and extending by agreement of counsel (original by agreement only) time for respondent to request settlement of case on appeal. Passed second and third readings.
SB 470 - Tort claim appeals. Amendments adopted requiring appellant to prepare a statement of case as required by rules of Court of Appeals (original requires "concise statement of case stating separately in articles num-

bered, the errors alleged"), and copy of statement to be served on respondent within 45 days (original 15) from entry of appeal, and within 20 days (original 10) after such service respondent to return copy with his approval or specified amendments endorsed or attached, and extending by agreement of counsel (original by agreement only) time for respondent to request settlement of case on appeal. Passed second and third readings.

HB 251 - Uniform Com'l Code changes, (House Committee Substitute 5/12), as amended in House 5/17. Passed second and third readings.
HB 356 - Water-air resources board. (House Committee Substitute 5/16). Received from House; sent to Conservation and Development.
HB 384 - Appalachian State name change. Received from House; sent to Higher Education.
HB 456 - Education Assistance changes. Received from House; sent to Education.
HB 504 - Proof of laws, as amended in House 4/26. Passed second and third readings.
HB 531 - District judge vacancies. Received from House; sent to Courts and Judicial Districts.
HB 545 - Perpetual care cemetanes, (House Committee Substitute 5/10), as amended in House 5/17. Received from House; sent to State Government.
HB 594 - Vehicle liability coverage, (House Committee Substitute 5/17), as amended 5/17. Received from House; sent to Insurance.
HB 691 - Car insurance, license penalty, as amended in House 5/16. Received from House; sent to Insurance.
HB 699 - Garbage work by prisoners. Received from House; sent to Public Roads.
HB 796 - Public contracts revision, as amended in House 5/17 and 5/18. Received from House; sent to Judiciary 1.
HB 900 - Agricultural research vote. Received from House; sent to Agriculture.
HB 917 - Advances on revenue bonds. Received from House; sent to Finance.
HB 920 - Amber wrecker lights. Received from House; sent to Highway Safety.
HB 926 - Realty license revocation. Received from House; sent to State Government.
HB 935 - Dependent child definition. Received from House; sent to Public Welfare.
HB 945 - Work release earnings, as amended in House 5/18. Received from House; sent to Correctional Institutions.
HB 950 - Sanitary district regulations. Received from House; sent to Judiciary 2.
HB 951 - Agreements on extension units. Received from House; sent to Education.
HB 955 - Auto manufacturers certificates. Received from House; sent to Judiciary 1.
HB 956 - MV Judicial Sale Notice. Received from House; sent to Judiciaryl.
HB 987 - Omnibus JP appointments, as amended in House 5/18. Received from House; sent to Courts and Judicial Districts.

LOCAL BILLS

SB 334 - (Gaston) County school board, (Senate Committee Substitute 5/18). Passed.
SB 448 - (Halifax) School board terms. Passed.

HB 292 - (Pender) Deer preservation. Reported favorably as to Committee Substitute. Committee Substitute adopted permitting taking of doe deer in portions of Pender County provided that (1) Wildlife Resources Commission first makes study to determine feasibility of permitting taking of doe deer and number permitted to be taken, (2) Commission holds public hearing in County at least 30 days prior to opening of deer season at which hearing commission to announce where and how many deer to be taken, (3) all hunts permitted by act to be supervised by Commission with not less than one game protector and one game supervisor present at each hunt, (4) all hunts permitted by act to be conducted on Monday, (5) hunt to be stopped when bag limit attained. Provides further that act not

to be construed as authorizing Commission to allow taking of doe deer throughout county. (Original authorizes Wildlife Resources Commission to fix season and bag limits or close season on any type of deer in all or part of Pender County when it finds, after investigation and public hearing (in area to be affected) to determine advisability of an open season on doe deer.)

HB 642 - (Hyde) Land from sound. Passed.
HB 665 - (Moore) Robbins ABC vote. Received from House; sent to Propositions and Grievances.
HB 703 - (Gaston) Spencer Mt. corporate limits. Passed third reading.
HB 718 - (Gaston) Dallas ABC vote. Received from House; sent to Propositions and Grievances.
HB 722 - (Rowan) Watershed improvement tax. Passed third reading.
HB 734 - (Pitt) Greenville radio-TV. Passed.
HB 735 - (Pitt) Greenville firemen retirement. Passed.
HB 736 - (Pitt) County-city airport authority. Passed third reading.
HB 740 - (Rutherford) CSC filing of papers, as amended in House 5/17. Received from House; sent to Judiciary 2.
HB 759 - (Pamlico) Florence white school deed. Passed.
HB 767 - (Guilford) Firearms prohibition. Passed.
HB 769 - (Gaston) Restricting brown bag permits, (House committee substitute 5/18). Received from House; sent to Propositions and Grievances.
HB 793 - (Wake) Tax regs. and districts. Passed.
HB 804 - (Guilford) Disturbing peace. Passed.
HB 855 - (Lee) Sanford charter revision, as amended in House 5/15. Received from House; sent to Counties, Cities and Towns.
HB 864 - (Lincoln) Lincolnton ABC election, as amended in House 5/18. Received from House; sent to Propositions and Grievances.
HB 928 - (Wake) Validating Raleigh contracts. Passed.
HB 929 - (Wake) Cary water and sewer charges. Passed third reading.
HB 932 - (Franklin) Well contractor licensing. Passed.
HB 933 - (Franklin, Vance, Warren) Abandoning animals. Passed.
HB 942 - (Scotland) Commissioners compensation. Received from House; sent to Salaries and Fees.
HB 999 - (Harnett) ABC store election. Received from House; sent to Propositions and Grievances.

BILLS RATIFIED

SB 235 - (Camden) Commissioners' salaries. [Ch. 526]
SB 236 - (Camden) Coroner compensation. [Ch. 527]
SB 237 - (Camden) Comm'rs to fix employee pay. [Ch. 528]
SB 244 - (Camden) Additional sheriff's pay. [Ch. 529]
SB 311 - (Camden) School board compensation. [Ch. 530]
SB 349 - (Edgecombe) Tarboro charter revision, as amended in Senate 5/8 and 5/10. [Ch. 531]
SB 364 - (Onslow) Validating tax assessments. [Ch. 532]
SB 447 - State salvage interests, as amended in Senate 5/17. [Ch. 533]
SB 485 - (Craven) School board appointee. [Ch. 534]

HB 298 - Industrial development bond, as amended in House 5/11. [Ch. 535]
HB 548 - Vet's employment preference. [Ch. 536]
HB 608 - (New Hanover) Home tax rule. [Ch. 537]
HB 726 - (Columbus) Peace officers' association. [Ch. 538]
HB 741 - (Avery) Commissioners meeting dates. [Ch. 539]
HB 764 - (Columbus) Municipal ABC vote, as amended in House 5/10. [Ch. 540]
HB 770 - (Catawba) Tax prepayment discount. [Ch. 541]

HB 830 - (Richmond) Hamlet comm'r terms. [Ch. 542]
HB 843 - (Mecklenburg) Charlotte underground. [Ch. 543]
HB 846 - (Rockingham) Subdivision control authority. [Ch. 544]
HB 861 - (Lincoln) Municipal incoporation. [Ch. 545]
HB 863 - (Lincoln) Alderman's interward moves. [Ch. 546]
HB 915 - (Wilson) Comm'rs appoint list takers. [Ch. 547]
HB 922 - Guilford 200-year commission. [Ch. 548]
HB 927 - (Ashe) Idlewild school sale. [Ch. 549]
HR 1044 - (Joint Resolution) Taxing industrial revenue bonds. [R 52]

Next session of Senate: 9:00 a.m. Saturday, May 20, 1967, for consideration of local bills only.

8:00 p.m. Monday, May 22, 1967.

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BULLETIN NO. 73
Friday, May 19, 1967

Session: House -- 9:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1074 - (Joint Resolution) Introduced by Merritt
"Recommending investigation of the Pilot Mountain Area for possible inclusion into the state parks system." [Requests Dept. of Conservation & Development to include Pilot Mountain Area in long-range park expansion study. Identical with SB 1074.] To Conservation & Development.

HB 1075 - Introduced by Whicker
"To amend G.S. 115-39, relating to the qualifications of superintendents of county schools." [Deletes proviso from G.S. 115-39 exempting superintendents holding office in 1955 from superintendent's certificate requirement of section. Effective July 1, 1967.] To Education.

HB 1076 - Introduced by Jones
"Relating to the illegal use of credit cards." [Deletes all reference to credit cards from GS Ch. 14, Art. 19A and adds new Art. 19B entitled "Credit Card Crime Act". Defines: "cardholder"--person named on face of card; "credit card"--device issued to cardholder for obtaining anything of value on credit; and other terms used in Act. Makes felony, punishable by maximum fine of $1,000 or maximum imprisonment for 1 year, or both, to make false statements in writing as to financial condition or identity for purpose of procuring issuance of credit card, knowing statements to be false and intending that issuer rely on them. Makes felony, punishable by maximum fine of $3,000, or maximum imprisonment for 3 years, or both, to commit credit card theft. Defines credit card theft as: (a) obtaining or withholding credit card from possession of cardholder without his knowledge or consent with intent to use, sell or transfer to another; (b) receiving credit card known to be lost or delivered under mistake with intent to use, sell or transfer to another; (c) selling card or buying credit card from person other than issuer; (d) receiving during 12-month period credit cards issued in names of two or more persons taken or retained under circumstances indicating false statements in procuring card, sale of cards, or acquiring cards as security for debt. Creates presumption of theft where person has in his possession or control cards issued in names of two or more persons. Makes felony, punishable as for credit card theft, to forge credit cards. Defines forgery of credit cards as (a) falsely making or uttering credit card with intent to defraud; (b) signing credit card with intent to defraud. Defines falsely making or embossing credit cards. Creates presumption of forgery where person has in his possession two or more credit cards falsely made or embossed or possessing two or more cards signed by someone else. Makes felony to commit credit card fraud. Defines fraud as (a) using card obtained in violation of act or known to be forged, expired or revoked to acquire anything of value; (b) obtaining anything of value with card by falsely representing oneself as holder; (c) obtaining control over card as security for debt; (d) selling anything of value to person upon presentation of card known to have been obtained in violation of act, or known to be forged, expired or revoked; (e) failing to furnish anything to buyer represented to issuer as having been furnished. Prescribes $1,000/1-year punishment for fraud not in excess of $500 in any one six-month period, and $3,000/3-year punishment for fraud in excess of $500 in six months. Creates presumption that holders know card has been revoked four days after mailing to address on card, subject to special rules for distant addresses. Makes it a felony, subject to $3,000/3-year punishment to criminally possess credit card forgery devices as defined in Act. Makes felony to criminally receive goods and services fraudulently obtained by credit cards; prescribes $1,000/1-year punishment for receiving less than $500 in six-month period; $3,000/3-year punishment for receiving in excess of $500 in six months. Creates presumption of guilt of criminal receipt of fraudulently obtained services where person sells airline, railroad or other transportation

ticket at discount to person guilty of credit card fraud without reasonable inquiry as to circumstances of possession. Provides that it is no defense to credit card crime (a) that a person other than the defendant has violated the Act and has not been convicted, apprehended or identified, or (b) that some of the acts constituting the crime did not occur in North Carolina and are not criminal where committed. Effective July 1, 1967.] To Judiciary 1.

HB 1077 - Introduced by Britt of Johnston and others

"Amending Article 4C of Chapter 106 of the General Statutes entitled the "Structural Pest Control Act of 1955"." [As title indicates; rewrites GS 106-65.23 to establish Structural Pest Control Division within NC Department of Agriculture, with Agriculture Comm'r appointing Director; director to serve as secretary of Structural Pest Control Committee. Committee composed of five members as follows: one employee of Ag Dep't appointed by Comm'r serving at his pleasure; one member of entomology faculty at NCSU appointed by Dean of School of Agriculture serving initial 4-yr term; one from public at large appointed by Governor and serving 2-yr term; one person actively engaged in pest control industry appointed by Governor serving 3-yr term, and one member of NC Board of Ag serving ex officio as long as he is member of Board; after initial appointment of Governor and Dean, ensuing appointments to be for four years; specifies manner of filling vacancies and does not allow members appointed by Governor to succeed selves; all members to be appointed by July 1, 1967 when their terms commence. Authorizes travel and subsistence allowances, and provides generally for organizational structure. Amends GS 106-65.24 to eliminate reference to existing Structural Pest Control Commission and substitute Structural Pest Control Committee, and makes similar conforming changes, here and in other sections. Adds to GS 106-65.26 provision prohibiting persons generally guilty of moral turpitude offenses within past years from taking licensing exam. Rewrites GS 106-65.27 (examination of applicants for license for structural pest control and fee, and nontransferability of license) to clarify its provisions and to provide that examination may be oral or written or both (now, oral or written). Rewrites GS 106-65.28 (revocation of license) to provide that in manner given and for enumerated reasons license may be suspended or revoked (now, only revoked), adds to reasons for revocation or suspension failure to remit sums to Division of Structural Pest Control by GS 106-65.36 (inspection fee) and wilful violation of any rule or regulation adopted pursuant to act, and to provide that suspension is to be for 10 days to two years in discretion of Committee, that licensee is to surrender all licenses and identification within five days of suspension or revocation and that new application after revocation not to occur within two years of same or within two years of final judgment if revocation is appealed. Rewrites GS 106-65.30 (provisions relating to inspection of licensees) to clarify and conform to new administrative structure of act. Rewrites GS 106-65.31 (annual licenses.. and identification cards for licensee's workers) to provide that license fee to be $10 for each of three phases of structural pest control (now, $50 for any phase and $25 for each additional phase) and to require that licensee pay penalty of $5 for failure to renew before Aug. 1 of each year (now, may be required to pay penalty of $10) and to expressly require annual renewal of worker identification cards at $1. Provides for duplicate licenses and mandatory duplicate I.D. cards when originals lost or destroyed, for $5 and $1 respectively. Makes illegal direction by any licensee to one of his workers to do work requiring I.D. card without worker carrying same. Deletes reference to effectiveness of I.D. card only while holder remains in employ of one making application for same. Provides that all registrations and applications for licenses and identification cards to be filed with Director. Rewrites GS 106-65.32 (relating to proceedings and hearings under article) to provide that licensee may appeal suspension or revocation of license to Superior Court of Wake County under provisions of GS Ch. 143, Article 33, (judicial review of administrative decisions). Rewrites GS 106-65.33 (penalty for violation of article's provisions or rules and regulation under it) to describe violation as misdemeanor punishable by fine or imprisonment or both (now, misdemeanor punishable per GS 14-3). Repeals GS 106-65.34 (annual report by Commission to Board) and

provides that terms of Commission members to expire June 30, 1967 and that their rules and regulations to remain in force if consistent with article until repealed, revised, or amended under article. Adds new GS 106-65.36 providing that each licensee shall collect from each client inspection fee of 1% of total charge excluding sales tax, to be remitted to Division by 10th of month following month in which service performed, regardless of whether licensee has been paid for that service. Licensee to keep books and records required by Committee's regulations to indicate assessment and collection of said fee, to be available for inspection by Director's personnel at licensee's principal place of NC business during regular hours, information so obtained to remain confidential to Dept. of Agriculture except on court order. Fee to be kept in separate account by Dept. of Ag to be used to pay salaries and expense of Director, inspectors, and other personnel and expenses of Committee and of attorney from AG's office. At first meeting after July 1, 1968, Committee shall determine total of inspection fees collected for year ending June 30, 1968, and if, in their opinion, amount substantially in excess of that needed to carry on work of Committee and provisions of act, Committee may, in its discretion, reduce fee to .5% of charge and may change it thereafter, not more than once in one 12-month period, always keeping it in .5-1% range. Licensee not remitting fees to Division to be assessed penalty of 5-25% of amount of delinquent fee and Committee may suspend or revoke license of same without hearing until same pays such fees and penalties.] To Judiciary 2.

HB 1078 - Introduced by Jernigan and Burden

"To appropriate funds for historic preservation in the Town of Murfreesboro." [Appropriates $30,000 at title indicates.] To Appropriations.

HB 1079 - Introduced by Forbes and others

"To amend Chapter 75A of the General Statutes so as to require sewage treatment or holding devices on boats operating on the inland fishing waters of the state." [Adds inland fishing waters as designated by the Wildlife Resources Comm'n to waters subject to GS 75A-6(o), authorizing State Board of Health and Wildlife Resources Commission to regulate marine toilets and sewage holding devices on boats. Provides that boat registered or otherwise licensed in another state and equipped with marine toilet not prohibited in such state may be operated in NC without regard to this subsection while making an interstate trip. Effective Jan. 1, 1968.] To Water Resources and Control.

HB 1080 - Introduced by Hunter of Mecklenburg

"To provide a fifty per cent (50%) credit against income tax for ad valorem taxes paid on inventories." [Adds new G.S. 105-151.1 and 105-134.1 to allow credit against income tax for 50% of ad valorem property tax paid by licensed merchants, manufacturers and brokers on inventory held in connection with retail, wholesale or manufacturing. Requires credit to be applied against tax in year in which property tax actually paid. Allows 3-year carryover of excess credit to individuals and 2-year carry over on corporate income tax. Provides that partners allowed credit in proportion to their share in partnership profits. Effective January 1, 1968; credit allowed for property taxes becoming due and paid on or after that date.] To Finance.

HB 1081 - Introduced by Garren

"To create and establish a code of ethics for the General Assembly, state elective officers, appointees of such officers, and others; and to create and establish a Joint Legislative Ethics Committee." [Prohibits members of General Assembly, state elective officers, appointees of any such officer, or employee of state agency, to have any interest, engage in any business or professional activity, or incur any obligation in substantial conflict with proper discharge of duties. Legislative members prohibited from any of the following: (1) accepting employment that will impair his independence of judgment or require him to disclose

confidential information acquired by him in course of duties; (2) knowingly disclose for pecuniary gain, confidential information acquired by reason of office; (3) accepting or be in partnership with person who agrees to or appears before any state licensing or regulatory board on behalf of another person; provides that section not to prohibit attorney from appearing before Workmen's Compensation Comm'n or Secretary of State or from practicing before any state board or agency in connection with or in any matter related to case or action or proceeding filed and pending in any state or federal court, and from making inquiry on behalf of constituent if no fee or reward is given or promised, and, lastly, not to apply to partnership in which member does not share directly or indirectly in resulting fee or to any matter pending before state board or agency on operative date of act if member is attorney of record; (4) receiving any compensation, reward, or gift from any source except State for any service, advice, assistance or other matter related to legislative process, except fees for speeches or published works on legislative subjects and except, in connection therewith, reimbursement of expenses for travel and reasonable subsistence for which no payment or reimbursement made by State; and (5) participating in enactment or defeat of legislation in which he has personal or substantial interest (member to file statement explaining interest in such legislation; statement to be entered on journal). Defines "interest in substantial conflict with proper discharge of duties" as any which reasonable person would expect to derive or suffer direct monetary gain or loss by reason of his official activity, and which does not result because of membership in business, profession, occupation, or group to no greater extent than other members of such. Prohibits inducement of legislators to violate code of ethics and makes any wilful violation of code misdemeanor and any conspiracy to violate felony.

Creates Joint Legislative Ethics Committee consisting of three members of Senate and three members of House appointed by Lieutenant Governor and Speaker of House respectively, at least one of both groups of appointees to come from largest and second largest political party; vacancies to be filled by Speaker or Lieutenant Governor as case may be. Before issuance of subpoena for investigations, approval by two members from each house required; authorizes committee to make rules governing own proceedings. Committee to be funded from Contingency and Emergency Fund in same manner as other joint committees; power to investigate alleged violations of code to be equivalent to NC Attorney General. Complaint alleging violation of code may be filed by any person with committee or superior court solicitor of resident county of alleged violator setting forth in writing name and violation charged with particulars; individual prohibited from instituting criminal prosecution until committee determines matter or until lapse of 120 days since filing complaint if complaint filed with committee, if complaint filed with solicitor, complaint may not later be filed with committee. Committee required to promptly send copy of complaint to person charged. If committee finds complaint alleges facts constituting violation of code, preliminary investigation to be conducted; if probable cause found from investigation, committee to set hearing on complaint not more than 30 days after finding; complainant and respondent (party charged) to be notified of all determinations including complaint not stating sufficient facts or lack of probable cause. Respondent entitled to examine and make copies of all evidence relating to complaint; committee empowered to issue subpoenas at request of any party if requirement set out above has been complied with. Hearings to be public. Parties entitled to counsel, call and examine witnesses, to introduce exhibits, and to cross-examine opposing witnesses. Any person named or mentioned at investigation or hearing of committee and believes it adversely affects him, entitled to testify or, at discretion of committee, to file statement of facts under oath relating solely to testimony to which he complains.

Committee to state findings reasonable time after hearing; if no violation found, committee to dismiss action and to notify parties and transmit copy of complaint and action to Attorney General and superior court solicitor of resident county of alleged violator; if violation found, committee to submit report to Body in which respondent serves, sending copy of findings and report to parties, Attorney General, and solicitor. Filing complaint with committee suspends running of statute of limitations applicable to any violation of provisions of code. Committee to maintain record of all proceedings, and all documents filed or submitted to committee except those of public hearing, to be confidential, open to inspection only by committee members, its employees, or parties to complaint; provided, committee may release to Attorney General or appropriate superior court solicitor any information pertaining to matter pending before them; all matters presented at public hearing and reports of committee stating final findings to be public records and open to public inspection. Any committee employee who divulges any matter deemed confidential guilty of misdeameanor. All action of committee require concurrence of two members of committee from each house; committee empowered to render advisory opinions on application and construction of code.] To Rules.

HB 1082 - Introduced by Ramsey of Person by request and Bowles

"To prohibit domestic insurers from transacting insurance business in states and jurisdictions where they are not authorized to do a business of insurance and prescribing penalties for violation of prohibited act and transaction." [Identical with SB 515, digested in Senate section of today's bulletin.] To Insurance.

HB 1083 - Introduced by Ramsey of Person by request and Bowles

"Prohibiting unauthorized insurers from transacting insurance business in this state, defining acts which constitute the transaction of business in this state: providing a method of obtaining jurisdiction over unauthorized insurers and prescribing penalities and other remedies for violation of the law by unauthorized insurers." [Identical with SB 514, digested in the Senate section of today's bulletin.] To Insurance.

HB 1084 - Introduced by Bailey

"To amend Chapter 18 of the General Statutes so as to authorize the sale of beer and wine to non-resident wholesalers." [Amends GS 18-67 and 18-128.1 to authorize sale of beer and wine by manufacturers to non-resident wholesalers not for resale in this State under rules and regulations of State ABC Board.] To Propositions and Grievances.

HR 1085 - (Joint Resolution) Introduced by Stanford

"Creating a Legislative Commission to study libarary support in the State of North Carolina particularly as regards the financing of public libraries and to make recommendations to the General Assembly of 1969." [As title indicates. Commission to be composed of five members, two from the Senate appointed by the President; two from the House appointed by the Speaker, and one appointed by the Governor; Governor to designate chairman. Provides per diem, subsistence and travel, and expenses to be paid from C & E fund.] To Libraries.

HB 1086 - Introduced by Johnson of Wake and others

"To amend section 39.2 of Chapter 18 of the General Statutes of North Carolina relating to the authority of local law enforcement officers." [Adds GS 18-39.2 to confer jurisdiction on local law enforcement officials to investigate operation of premises licensed under GS 18-51(3), (4) and (5) (brown-bagging permits), and to procure evidence with respect to violation of law or regulation. Confers authority on officers to enter licensed premises in performance of duties at any hour of the day or night.] To Judiciary 1.

HB 1087 - Introduced by Rountree and others

"To amend Chapter 7A of the General Statutes, so as to fix the compensation of Emergency Judges of the Superior Court, Emergency Justices of the Supreme Court, and Emergency Judges of the Court of Appeals." [Amends GS 7A-39.3(b) and 7A-52(b) (as enacted by SB 42, SL 1967, Ch. 108) to increase compensation of emergency Justices and Judges from $100 to $200 per week of active service rendered under recall.] To Appropriations.

HB 1088 - Introduced by Rountree and others

"To amend Chapter 7 of the General Statutes, so as to fix the compensation of emergency Judges of the Superior Court and emergency Justices of the Supreme Court." [Amends GS 7-39.8 and 7-51 to increase the compensation of emergency Justices and Judges from $100 to $200 per week of active service rendered under recall.] To Appropriations.

HB 1090 - Introduced by Hutchins

"To provide that the Commissioner of Revenue shall at least quarterly remit to each county fifteen per cent (15%) of sales tax collected on the sale of items within the particular county." [Adds provision to GS 105-164.14 to require quarterly return to each county of 15% of net sales tax collected from persons, firms or corporations registered as located in the county. Requires revenues remitted to be used for constructing and furnishing school buildings insofar as needed, excess to become part of general fund. Effective July 1, 1967.] To Finance.

HB 1091 - Introduced by Johnson of Duplin

"To rewrite G.S. 120-3 with respect to the compensation of members of the General Assembly." [Revises G.S. 120-3 in contemplation of proposed constitutional amendment authorizing General Assembly to fix its compensation effective for the following session to: (1) delete language fixing compensation "as provided in Article II, § 28 of the Constitution and substitute compensation of $15.00 per day of session for members and $20 per day for presiding officers; (2) delete aggregate compensation limits from clause allowing payment in installments (now, no member to receive aggregate greater than $1,800 and officers greater than $2,400). Retains all other features of existing section in substance. Effective July 1, 1967.] To State Government.

HB 1092 - Introduced by Burden and Godwin of Gates

"To redefine the law relating to prima facie evidence of taking deer with the aid of artificial lights." [Amends GS 113-109(b) (firelighting deer prima facie evidence of violation) that in any locality or area inhabited or frequented by wild deer, flashing or display or any artificial light from roadway or driveway or from any place off such roadway or driveway when accompanied by possession of firearms or bow and arrow during hours between sunset and sunrise to constitute prima facie evidence of violation. (Now, flashing of such light to constitute prima facie evidence of violation when done from any highway or public or private driveway except as authorized in present law for hunting of raccoons, opossums, or frogs.)] To Wildlife Resources.

LOCAL BILLS INTRODUCED

HB 1089 - (Durham) Introduced by Penny, Royall and Hofler
"To provide for the punishment of certain misdemeanors in Durham County." [Adds Durham to list of counties in GS 14-107 in which issuing worthless check not over $50.00 subject to punishment not to exceed $50 or 30 days. Deletes Durham from list of counties in GS 14-335 (12) making public drunkenness subject to graduated punishments for second and third offenses and adds Durham to GS 14-335(1) making public drunkenness subject to $50 or 30 days. Effective July 1, 1967.] To Judiciary 2.

HB 1093 - (Nash) Introduced by Barbee
"To amend GS 7-89, relating to court reporters, so as to make the same applicable to Nash County." [Adds Nash to list of counties where comm'rs authorized to appoint, terminate appointment, and reappoint court reporters and reporter pro tem., and to fix their compensation.] To Courts and Judicial Districts.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 83 - Teachers summer expenses. Passed second and third readings.
SB 126 - Bakery license tax. Passed second and third readings.
SB 135 - Glue sniffing prohibition. Passed second and third readings.
SB 155 - Chain store tax exemption. Passed second and third readings.
SB 163 - County welfare fund transfers, as amended in Senate 4/28 and House 5/1. Passed second and third readings.
SB 174 - Revenue bond sales. Passed second and third readings.
SB 198 - Savings and loan shares. Passed second and third readings.
SB 199 - Savings and loan advisors, as amended in Senate 4/14. Passed second and third readings.
SB 219- Noncourthouse comm'r meetings, as amended in Senate 4/26. Passed second reading.
SB 226 - Educational loans. Technical amendment adopted. Passed second and third readings.
SB 272 - Loan association investments, as amended in Senate 5/18. Received from Senate; sent to Insurance.
SB 289 - Local jail law revision, as amended in Senate 5/16. Postponed to 5/23.
SR 290 - (Joint Resolution) Jail study commission, as amended in Senate 5/16. Passed second and third readings.
SB 302 - Cemetery desecration, as amended in Senate 5/10. Amendments adopted making technical change and providing that destroying, removing, breaking, etc. of cemetery ornaments, flowers, shrubs is not desecration as contemplated by act if done with consent of person in charge of cemetery; floor amendment adopted clarifying fact that act not to preclude cemetery operators from exercising all powers reserved to them in their respective rules and regulations relating to the care of such cemeteries. Passed second and third readings.
SB 357 - Self-liquidating projects (1). Passed third reading.
SB 358 - Self-liquidating projects (2), as amended in Senate 5/15. Passed second reading.
SB 359 - Self-liquidating projects (3). Passed third reading.
SB 393 - Warehouse act produce levy. Passed third reading.
SB 398 - Lloyds insurance associations. Received from Senate; sent to Insurance.
SB 402 - Amends SB 181. Passed second and third readings.
SB 407 - Charity solicitation reports. Postponed to 5/22.
HB 5 - Discretionary revocation (House committee substitute 5/18). Postponed to 5/23.
HB 316 - Militia amendment, as amended in Senate 5/18. Received for concurrence in Senate amendment; concurred.

HB 468 - Veterans guardianship changes, as amended in Senate 5/18. Received for concurrence in Senate amendment; concurred.
HB 563 - Realty stamp tax. Passed third reading.
HB 738 - Coupled vehicle length. Amendment adopted conforming GS 20-123 to provisions of act by permitting two (now, one) trailers or semi-trailers to be drawn on highways. Floor amendments adopted providing that no combination of more than two vehicles coupled together exceeding 55 feet in length may be operated on NC highways, unless highway is portion of interstate highway system or dual lane highway, and unless highway has been designated by SHC "Twin trailer route" after engineering and traffic investigation with finding that condition of highway and amount of vehicular traffice will permit use of said highway as twin trailer route without impairing NC highway safety. Passed second reading.
HB 823 - Self-liquidating projects (1). Postponed indefinitely.
HB 824 - Self-liquidating projects (2). Postponed indefinitely.
HB 924 - Charity solicitation reports. Postponed to 5/22.
HB 976 - Sweet wine manufacture. Passed third reading.

LOCAL BILLS

SB 455 - (Haywood) Waynesville ABC election. Received from Senate; sent to Propositions and Grievances.

HB 442 - (Randolph) Recorder's court transfers. Passed.
HB 774 - (Carteret) School board election. Passed.
HB 766 - (Burke) Consolidating school units. Floor amendment adopted to limit bond issue to maximum of $8,000,000 (amount not specified in original bill). Postponed to 5/22.
HB 827 - (New Hanover) School pension withdrawal. Passed.
HB 864 - (Lincoln) Lincolnton ABC elections. Floor amendment adopted on May 18 to change Lincolnton Board of "Commissioners" to "Aldermen" throughout bill.
HB 886 - (Onslow) School board election. Passed.

The following unnumbered House Resolutions were adopted:

Introduced by Bowles and Taylor of Carteret

"A House Resolution concerning Norwood Bryan, Jr., member of the House of Representatives from Cumberland County." [Congratulates Rep. Bryan and Miss Barbara Hauser on their imminent marriage.]

Introduced by Bowles (by request of the fourth estate)

"A House Resolution calling for the continued well-being of the hand that feeds us." [Extends congratulations of House Press Corps to Rep. Bryan and Miss Hauser.]

Next session of House: 10:00 a.m., Saturday, May 20, for consideration of local bills only.

8:00 p.m. Monday, May 22, 1967

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 74

Monday, May 22, 1967

Note: The Senate convened at 9:00 a.m., Saturday, May 20, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 524 - Introduced by White of Cleveland

"To define, regulate and license auctioneers of the State of North Carolina." [Creates "Auctioneers License Act of 1967" making following provisions: Defines various terms including "goods" (not to include goods sold at auction under direction of public authority or pursuant to judicial order or in settlement of decedent's estate or required by law to be sold at auction), auctioneer (citizen of US and State with two or more years experience as active auctioneer and licensed under act), and apprentice auctioneer (18 years or over, resident of State for one year or more and has completed prescribed course at accredited auctioneering school approved by commission and one year of apprenticeship under supervision of licensed auctioneer, or at least two years apprenticeship under supervion of licensed auctioneer and licensed.) Creates NC Auctioneers Commission to consist of six members appointed by Governor for 3-year staggered terms beginning July 1 with two each of initial appointments to be for 1, 2, and 3-year terms beginning July 1, 1967 with vacancies to be filled for unexpired terms. At least three shall be licensed auctioneers. Commission shall employ secretary-treasurer and annually elect from membership a chairman and vice-chairman. Secretary-treasurer to qualify for $10,000 bond, to be approved by Governor and filed with Secretary of State. Commission may make expenditures necessary for operation and enforcement of act, total expenditures not to exceed 90% of gross receipts. Members shall receive $15 for each day of meetings attended and actual expenses. Makes unlawful the carrying on of business of auctioneer or acting in capacity of auctioneer or apprentice auctioneer without being licensed. Partnership, etc., may be licensed as such only if all members of association are auctioneers or apprentice auctioneers as defined. Person engaged in auctioneering for two years or more and meeting requirements (except for serving in employ of licensed auctioneer for two years) may be admitted for examination for license. Commission shall, upon payment of license fees, issue licenses to expire on last day of June following date of issue, annually renewable. Applications to be accompanied by recommendation of at least two citizens not related and owning real estate within and being residents of county where application is made certifying honesty and good repute of applicant or association. If applicant is resident of county from which applying for less than one year, application also to be accompanied by two such recommendations from each county of residence or business during preceding year. Application for apprentice auctioneer to be accompanied by recommendation of employer or prospective employer. No

license may be granted until applicants pass examination by Commission and held each year in Raleigh or other cities deemed proper, or both, at times deemed fit. Examination to include questions on English, mathematics, and other "common school branches." Apprentice examination to be limited to applicable mathematics, auctioneers license act, and ethical practices. No new license to be issued to one with cancelled license without compliance with act. Failure to pass examination shall entitle applicant to receive, on application, appointment date within two months for another examination; two failures cause inelegibility until expiration of six months from last one. One who has engaged in auctioneering for two years immediately preceeding July 1, 1967, shall be granted license without examination if application made within six months from July 1, 1967, and fee is paid. Every member of firm, etc., to require separate license. Nonresident of State may be licensed as auctioneer or apprentice by complying with all provisions of act. Non resident may substitute certification with license of another state that extends similar courtesy to auctioneers of this state and irrevocable consent to commencement of suits against applicant in this state by service on secretary-treasurer of Commission. Fees for licenses to be $50 for auctioneer license and $25 for apprentice license with no additional fee for taking next exam after initial failure. Renewals to be $25 and $10 respectively. No license shall be issued until applicant has filed $1,000 performance bond with authorized surety. Every auctioneer must record in book maintained for purpose, upon receipt of goods for auction and before offering same for sale, name and address of person employing him for such sale and of person who was owner, authorized agent or consigner of goods. Makes misdemeanor punishable by fine of $50 to $500 to violate following requirements: no person to act as auctioneer on sale at public auction without first entering into written contract or agreement in triplicate with owner or consignee of property containing conditions upon which licensee receives or accepts property with contracts to be kept on file for two years in office of every licensed person and open for inspection. Auctioneers required to have license at all sales conducted by licensee,and license of all apprentice auctioneers at sale; licenses to to designate employer and notice within ten days to be given Comm'n of change of employer with $5 charge for new license; employer change without notice to Comm'n to result in cancellation; violations may result in suspension or revocation of license. Upon own motion or verified complaint Comm'n to investigate any licensed auctioneer or apprentice with power to suspend or revoke licenses when it finds holder guilty of any of following acts: (1) misrepresentation, or false promises through agents or apprentice auctioneers; (2) licensee within five years prior to licensing convicted of forgery, embezzlement, extortion, or other like offenses; (3) failure to account for, or pay over moneys belonging to others which have come into his possession arising out of sale within 30 days; (4) misleading or untruthful advertising; or (5) knowingly using false bidders, cappers or puffers, or making material false statement for license. Requires written notice of charges and sets out procedures for notice and hearing; hearings to be held within county of applicant's or licensee's residence; Comm'n revocation or suspension, or refusal to license to be reviewed upon application by proceedings in lieu of prerogative writs. Comm'n to keep public docket of rulings or decisions; prescribed notice to licensee affected to be given. License to be revoked if licensee convicted of forgery, embezzlement, extortion, other like offenses, and may be suspended if licensee indicted for any of the above offenses. Upon revocation of license of any member of co-partnership, or any officer of association or corporation, connection with member whose license has been revoked to be severed and his interest in co-partnerhsip or corporation to be terminated. No new license to be issued pending any proceeding affecting licensee, to licensee, co-partnership of which he is member or employee, or association of which he is officer, except for period of investigation. No new license to be issued within one year after date of revocation except in discretion of Comm'n. Auctioneering without license after July 1, 1967, or employing apprentice without license is deemed "a disorderly

person", upon conviction of which fine of not less than $50 nor more than $100 for first offense and fine of not less than $500 nor more than $1000 and/or imprisonment for not less than one year for subsequent offenses to be imposed (corporations may be fined up to $1000). Failure to apply for renewal of certificate of registration on or before renewal date in each year and continuance of auctioneering to result in late penalty fee of $10 for each 30 days late. Sets out Comm'n's subpoena powers, fees allowed witnesses, and consequence of refusing to appear or produce documents when subpoenaed. Violation of act by apprentice or other employee of licensed auctioneer or commission house, not to constitute grounds for revocation of employer unless knowledge of employee's violation by employer proved; consistently followed dealings by employee to constitute prima facie evidence of employer's knowledge. Unlawful for licensed auctioneer, apprentice, or commission house to pay any person other than licensed auctioneer or apprentice for rendering any service forbidden to be rendered by anyone other than licensees; payment to apprentice to be in his name and his employer's. Apprentice not to accept payment from any person other than licensed auctioneer by whom employed except assisting another auctioneer if mutually agreed between all parties; violation to justify suspension or revocation of license. Comm'n authorized to adopt regulations and rules necessary for operating under act. Effective July 1, 1967.] To State Government.

SB 525 - Introduced by McLendon and Currie

"To amend the North Carolina Engineering and Land Surveying Act." [Makes following amendments to Engineering and Land Surveying Act: GS 89-2(6). Amends definition of "practice of engineering" (now "professional engineering") as responsible supervision or personal performance of service or creative work requiring engineering education, training and experience (now, any professional service or creative work requiring such education, etc.). Eliminates present exclusions from definition (including exclusions of work by employees of State, political subdivisions and municipalities), and replaces them with provision that "practice of engineering" does not include internal engineering activities of a manufacturing firm, or its research affiliates, or its employees in connection with manufacturing, installation, servicing, or research and development, or on-premises maintenance of machinery or equipment incidental to manufacture, sale or installation of products of the firm by its employees. Adds to last paragraph of definition a provision that one who holds himself out as able to perform engineering service is practicing engineering. GS 89-4. Adds provision that one of the land surveyor members of the Board may be a registered engineer who practices land surveying. Clarifies rule-making authority of Board to include effective implementation of Chapter. GS 89-7(a)(2). Extends reciprocity to subdivisions of Canada. GS 89-7(b)(1)(b). Repealed (permits alternative qualification as engineer by high school graduation and 10 years' experience, plus examination). GS 89-7(b)(3)(b). Repealed (permits alternative qualification as engineer-in-training by high school graduation and 4 years' experience, plus examination). GS 89-12(2) and (3). Amends to provide for issuance of temporary permits by Board to persons exempted from licensing requirements by virtue of practicing less than 30 days in a calendar year in NC. GS 89-13. Adds provisions: that a firm (corporation or parternship) is not practicing unless it performs services for the public; requiring annual certificate of authorization from Board for practice by firm, with $50 annual fee; that no firm or individual is relieved from responsibility by provisions of section; that final drawings, plats, plans, specs, reports, etc., must be dated and initialed by person preparing and signed by responsible engineer or surveyor; and that no firm may engage in practice of or offer to practice professional engineering or land surveying in NC or advertise, without complying with section. GS 89-14. Repealed (grandfather clause for land surveyors applying for registration pre-July 1, 1960).

GS 89-15. Amended to provide that Chapter does not affect registrations of engineer or surveyor possessing certificate issued prior to July 1, 1967 (now, 1959). GS 89-16. Repealed (provides for manual of practice for surveyor to be prepared by Board pre-July 1, 1960 and updated annually). Effective July 1, 1967.] To State Government.

LOCAL BILLS INTRODUCED - None

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 226 - Educational loans. Received for concurrence in House amendment; concurred.

SB 292 - Omnibus court amendments. Amendments adopted five of which are technical or clarifying; the remainder provide as follows: (1) increase number of full-time assistant prosecutors for Wake and Cumberland Counties to two (original bill, one each); increase number of 11th district judges to four (original bill, three); add Selma, Shalotte and Tabor City as additional seats of Johnson, Brunswick and Columbus County courts, respectively (original bill made no provision for additional court seats in these counties); increase number of Guilford County judges and full-time assistant prosecutors to six and three, respectively (original bill, five and two); increase maximum number of Forsyth County magistrates to 15 (original bill, 12), maximum number of Catawba County magistrates to nine (original bill, eight) and maximum number of Gaston County magistrates to 18 (original bill, 14); increase minimum and maximum number of Haywood County magistrates to four and six, respectively (original bill, two and three); (2) adds amendment to GS 7A-134 to reduce from 100,000 to 85,000 population of district court district sufficient to allow appointment of special court counselor available to domestic relations and juvenile court judges; (3) deletes provision in original bill which would add "uniform bail policies" as (GS 7A-148) stipulated topic for annual conference of chief district judges; (4) adds to GS 7A-199 (inserted by original bill) additional venue provisions when an action (slight variations between venue provisions for various types of actions) assigned for hearing in district court of municipality with corporate limits in two or more contiguous counties; (5) changes "municipality" to "corporate limits plus the territory embraced within a distance of one mile in all directions" as area over which magistrate assigned to incorporated municipality, boundaries of which lie in more than one county of district court district, may exercise criminal law jurisdiction as granted by GS 7A-273; (6) deletes exception to uniform costs as set out in GS 7A-305 of essential transcript on appeals to court of appeals; (7) as to fees and commissions collected by CSC and remitted to state for support of General Court of Justice, funds placedwith and invested by clerk to return 3% commission on "first $1,000, and 1% on all funds above"; (8) rewrites GS 7-42 providing that superior court judge to receive annual salary as set forth in Budget Appropriations Act (now, set at $18,500); and (9) deletes amendments to GS 84-16 relating to honorary members of NC State Bar. Placed on calendar for 5/24.

SB 302 - Cemetery desecration, as amended in Senate 5/10 and in House 5/19. Received for concurrence in House amendment; concurred.

SB 380 - Motor vehicle inspections. Reported favorably.

SB 406 - Water safety committee. Makes technical changes; amends to exempt John H Kerr Reservoir Development Comm'n and Person-Caswell Lake Authority from Sec. 4 (Local Water and Shoreline Authorities: Local Water Safety Committees) except that: (1) NC Wildlife Resources Comm'n to possess power of implementation of Uniform Waterway Marking System in waters

under control of Kerr Comm'n and Person-Caswell Authority; and (2) Kerr Comm'n and Person-Caswell Authority not authorized to make supplemental regulations respecting safety equipment on vessels other than in accordance with GS 75A-15(a) and (b) (originally, Person-Caswell Lake Authority abolished and procedure to reorganize as local water and shoreline authority set out). Placed on calendar for 5/25.

SB 416 - Private school driver training. Reported favorably as to committee substitute. Committee substitute adopted amending GS 20-11(a) (limiting granting of drivers' license to minors to those completing certain drivers' education courses) to permit such licensing of one completing such course at licensed commercial driver training school or approved non-public secondary school when instructions offered is approved by Comm'r of Motor Vehicles and State Superintendent of Public Instruction, and all expenses paid by persons enrolled or by school (original bill created new subsection to GS 115-202 to permit extension to private schools of such courses under specified conditions).

SB 457 - Sanitary district advances. Passed third reading.

HB 563 - Realty stamp tax. Received from House; sent to Finance.

HB 976 - Sweet wine manufacture. Received from House; sent to Propositions and Grievances.

LOCAL BILLS

SB 118 - (Buncombe) Radio & Iden. Bureau. Received for concurrence in House amendment; placed on calendar for 5/24.

SB 374 - (Union) Monroe school board election. Amended to provide that chairman is to be elected for 2-year term at first meeting in July following election of board (originally, 1-year term without right to succeed himself). Passed.

SB 479 - (Nash) County zoning powers. Passed.

SB 494 - (Cherokee) Officials salaries. Passed.

HB 292 - (Pender) Deer preservation. Passed.

HB 442 - (Randolph) Recorders courts transfers. Received from House; sent to Courts and Judicial Districts.

HB 516 - (Northampton) Gaston animal slaughter o.k.'d. Passed.

HB 622 - (Macon) Building permits. Passed.

HB 625 - (Forsyth) Dog damages. Passed.

HB 667 - (Stanly) Land to vocational workshop. Passed.

HB 695 - (Graham) Robbinsville police. Passed.

HB 733 - (Pitt) Ayden recreation funds. Passed.

HB 758 - (Carteret) Trapping season. Amendment adopted deleting rabbit and squirrel hunting season from those seasons during which trapping for all animals is closed in Carteret County. Passed.

HB 774 - (Carteret) School board election. Received from House; sent to Education.

HB 794 - (Northampton) Game taking penalty. Passed.

HB 812 - (Johnston) County offices. Passed.

HB 820 - (Buncombe) Highway deer hunting. Passed.

HB 827 - (New Hanover) School pension withdrawal. Received from House; sent to Edu.

HB 866 - (Anson) Wadesboro volunteer firehall. Passed.

HB 886 - (Onslow) School board election. Received from House; sent to Education.

HB 925 - (Mecklenburg) Recreation funds. Passed.

HB 949 - (Forsyth) Winston-Salem property sale. Passed.

HB 971 - (Sampson) Roseboro ABC profits. Passed.

Next session of Senate: 12 noon, Tuesday, May 23, 1967.

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BULLETIN NO. 74
Monday, May 22, 1967

Note: The House convened at 10:00 a.m., Saturday, May 20, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1094 - Introduced by High and Gunn
"To define, regulate and license auctioneers of the State of North Carolina." [Identical with SB 524, digested in the Senate section of today's bulletin.] To Judiciary 1.

HB 1096 - Introduced by Hamrick and Bailey
"To authorize the creation of special water and sewerage districts and to provide for the provision of water and sewer services in such districts." [(1) Provides for creation of special water and sewerage district within a county upon compliance with following procedures: (a) county commissioners, after feasibility studies, find that public health, welfare or economic growth make district desirable and create and define district by resolution after public hearings and (discretionary) referendum among voters of proposed district; or (b) county commissioners, after feasibility studies, create district upon petition by at least 51% of resident freeholders of proposed district. (2) Provides for county comm'rs, as additional duty of their offices as county comm'rs, to serve as trustees of district, without additional compensation; trustees may appoint secretary who need not be a trustee. (3) Sets forth procedures for extension of boundaries of district by county comm'rs, with no area having outstanding indebtedness to be included without approval of residents at an election held for that purpose; spells out details of election procedure; election to be held within existing district boundaries and proposed extension, and majorities of both voters within district and proposed area for extension must approve extension. Authorizes merger of two or more existing districts in accord with procedures for extension, and authorizes dissolution of districts having no outstanding debt. (4) Sets forth corporate powers of district, including authority to: (a) acquire, construct lease and operate system; (b) issue general obligation and revenue bonds; (c) without supervision or regulation by any other agency, fix rates and charges for services and facilities; (d) cause taxes to be levied on all taxable property within district sufficient to meet district obligations; (e) acquire necessary property by condemnation, gift or purchase; (f) enter contracts and employ consultants, employees, etc.; (g) to receive federal and state aid and agree to reasonable conditions relating thereto; (h) to specially assess any or all of system costs under procedures of Article 24A of G.S. Ch. 153; and (i) to adopt regulations (with misdemeanor penalties) concerning operation of facilities, including connection requirements. (5) Spells out procedures for issuance of general obligation and revenue bonds, bond anticipation notes, interim receipts, refunding bonds, and general obligation bonds additionally secured by revenue pledge -- including provisions for elections within the district concerning general obligation bonds, covenants concerning revenue bonds, fixing ad valorem tax rates for taxes to defray general obligation bonds on basis of assessed values furnished by county commissioners, bond maturities and interest rates and other details concerning bond provisions. Credit of district to be pledged to payment of principal and interest on all general obligations, and sufficient ad val. tax for such purposes to be levied annually; power also granted for levy of additional ad valorem tax for maintenance and operation. (6) General obligations and bond anticipation notes to be subject to Local Government Act; revenue bonds to be approved and sold by Local Gov't Comm'n in same manner as municipal bonds, but may be sold at private sale without advertisement under specified conditions if determined by Comm'n to be in public interest. (7) Provides for enforcement of bondholders' rights by bondholders or trustees. (8) Empowers any political subdivision to transfer jurisdiction over or to lease, lend or grant to district any existing system;

enter contracts with district for water services or for collection, treatment or disposal of sewage, and to submit to its voters any such contract or agreement; (9) Grants to district easements along, on or across state and city streets and roads within district needed for carrying out district work, subject to reasonable requirements of State Highway Commission and affected municipal governing bodies. (10) Requires district to present preliminary water and sewerage system plans to affected county, municipal and regional planning boards for consideration and to cooperate with such boards and coordinate plans where possible. (11) District authorized to assume water and sewerage system debt of political subdivisions in district, subject to approval of district voters; if approved, district to levy sufficient tax to pay debt and interest. (12) Political subdivision authorized to make advances for preliminary district expenses. (13) Act declared to be supplementary to existing powers.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1095 - (Pamlico) Introduced by Godwin, Taylor, and Sugg
"To authorize the board of education of Pamlico County to convey certain real property to the Town of Oriental as a site for a fire station, town hall or some other municipal purpose." [As title indicates; describes property by metes and bounds. Conveyance to be for nominal consideration with provision for reversion to Pamlico Board of Education if Oriental fails to use property as site for fire station, town hall or other municipal purpose.] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 219 - Noncourthouse comm'r meetings, as amended in Senate 4/26. Postponed to 5/24.
SB 358 - Self-liquidating projects (2), as amended in Senate 5/15. Passed third reading.
SB 453 - State Soil Committee Sess. L. Received from Senate; sent to Finance.
SB 469 - Industrial Commission appeals. Received from Senate; sent to Courts and Judicial Districts.
SB 470 - Tort claim appeals. Received from Senate; sent to Courts and Judicial Districts.

HB 738 - Coupled vehicle length. Floor amendment adopted providing that combination vehicles of combined length greater than 55 feet inclusive shall not operate on highway "unless said highway shall have at least two marked lanes for traffic in one direction of movement with the exception of merging highways and temporary obstructions caused by accident or construction" (in original amendment, "unless said highway shall be portion of the interstate highway system, or shall be a dual lane highway"). Passed third readin
HB 822 - Self-liquidating projects (2), as amended in House 5/18. Postponed indefinitely.
HB 893 - Farm implement title certif. Amendments adopted reducing fees for application for certificate of title and registration card or for duplicate or corrected certificate of title from $5 to $2 and clarifying title of Sec. 20. Floor amendment adopted providing that all fees collected shall be placed in special "Farm Implement Registration Fund" to be used under direction and supervision of Ass't Director of Budget for administration of Act. Re-referred to Appropriations.

LOCAL BILLS

SB 334 - (Gaston) County school board, (Senate committee substitute 5/18). Received from Senate; passed.
SB 448 - (Halifax) School board terms. Received from Senate; sent to Education.

Next session of House: 11:30 a.m., Tuesday, May 23, 1967.

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BULLETIN NO. 75

Tuesday, May 23, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 527 - Introduced by Gentry

"Amending G.S. 106-422 relating to the inspection, by representatives of the Department of Agriculture, of vehicles carrying, or suspected of carrying, plants infested with plant pests." [Adds to GS 106-422 provision authorizing agents of Comm'r of Agriculture to stop or cause to be stopped by law enforcement officer any vehicle or means of transportation being used (or that Comm'r has reasonable grounds to believe is being used) to transport plants or plant products in violation of plant pest law. (Section now authorizes Comm'r or his agents to inspect vehicles suspected of carrying plant pests.)] To Agriculture.

SB 528 - Introduced by McLendon and others

"To amend Chapter 58 of the General Statutes of North Carolina by adding a new article thereto designated as Article 6A so as to authorize the stockholders of a domestic insurance company to exchange their stock in such insurance company for stock of another domestic insurance company or other domestic corporation." [Adds new Article 6A to GS Ch. 58 (Insurance) to provide that any domestic insurance company with capital stock may adopt plan of exchange for exchange by its shareholders of their stock in domestic company for shares of stock issued by any other domestic stock insurance company or other domestic stock corporation (acquiring corporation); or other securities issued by acquiring corporation; or cash, other consideration, or any combination of above. Procedure for exchange in sequence as follows: (1) boards of directors of domestic company and acquiring company adopt plan of exchange by resolutions; (2) Insurance Commissioner's approval of plan of exchange as per procedure set out; (3) plan of exchange as approved by Insurance Commissioner submitted to shareholders of domestic company. Notice of submission of plan of exchange to be included in meeting notice. Approval of domestic company requires two-thirds vote of outstanding capital stock or greater share as plan may set out; notwithstanding shareholder approval plan may be abandoned, pursuant to provision for abandonment in plan, at any time prior to filing plan pursuant to GS 58-86.4; (4) objections of shareholder of domestic company by procedure set forth in GS 55-113(b) (relating to rights of shareholders under Business Corporation Act) with objecting shareholder entitled to payment by domestic company or acquiring corporation of fair value of his shares in domestic company if plan becomes effective; such payment in accord with GS 55-113 (d), (e), (f), (g), and (h) (provisions of Business Corporation Act).

Not earlier than 31 days after shareholder meeting approving plan of exchange, certificate to be filed with Commissioner setting forth plan of exchange and vote by which domestic company shareholders approved same or that plan abandoned; triplicate certificate to be executed on behalf of domestic company. Commissioner to endorse certificate after ascertaining that facts therein conform to law;

certificate then filed as provided by GS 55-4 (relating to filing of corporate documents generally). When plan of exchange effective, exchange deemed consummated; each shareholder of domestic company ceases to be such and ownership of all shares of issued and outstanding stock vests in acquiring corporation automatically without physical transfer or deposit of certificates. Certificates represent shares of issued and outstanding stock or other securities issued by acquiring corporation; or right, if any, to receive cash or other consideration upon terms specified in plan. Provides for continued regulation by Commissioner to require that affairs of domestic company be conducted in manner to assure continued safe conduct and transaction of its business of insurance; Act not to authorize any company to engage in insurance business not authorized by articles of incorporation. Commissioners' finding, after notice and hearing opportunity, that business and affairs of acquiring corporation are of nature, or conducted in manner, as to endanger continued solvency of domestic company, to be harmful to any domestic insurance company, or to impair rights of any policyholder, shall require Commissioner to issue appropriate written orders in manner to protect those rights and interests (above); such order may include requiring acquiring corporation to divest itself of domestic company stock. Insurance Commissioner to have access to books, records and accounts of acquiring corporation and may require statements of officers, directors and employees of acquiring corporation as he deems advisable with costs borne by acquiring corporation. Provides that acquiring corporation subject to all proxy solicitation and insider trading regulations of Commissioner authorized by statute. Makes it unlawful for any domestic company acquired under Article to invest in its acquiring corporation or any of its subsidiaries; to accept, as collateral for advances to any person or company, financial interest in its acuqiring corporation or subsidiaries; to purchase securities or other assets or obligations under agreement from its acquiring corporation or subsidiaries; to make any loan, discount or extension of credit to its acquiring corporation or subsidiaries. Article not to affect power of Commissioner to regulate, supervise and control insurance companies. Provides that any domestic corporation (other than insurance) acquiring majority of voting capital stock of any domestic insurance company, is subject to regulations of Article, except those acquiring domestic insurance companies prior to effective date of Article.] To Insurance.

LOCAL BILLS INTRODUCED -- SENATE

SB 526 - (Haywood) Introduced by Buchanan

"Authorizing the establishment of a town liquor control store in the Town of Canton, Haywood County, upon a vote of the people, and providing for the allocation of net proceeds from the operation of such store." [Authorizes Canton Board of Elections, upon petition of 15% of registered voters voting in most recent municipal election, or written request of mayor and board of aldermen, to call ABC election. Sets out registration procedure and form of ballot. If majority of votes at subsequent election votes against liquor control store, town ABC board to close store within three months, liquidate assets, and turn them over to town treasurer; thereafter, all laws applicable to ABC sales in effect prior to ABC authorization to be in full force. No election to be held within two years from last election; aldermen required to order special liquor election within 60 days after petition requesting same, but no election to be held on day of any biennial county, or town general or primary election or within 30 days of any such election. If store authorized, aldermen to appoint chairman to serve for 3-year term and two members, designating one to serve 2-year term and the other a 1-year term; successors to be appointed for 3-year term; Canton ABC board to possess all powers granted by general law and to operate under general law provisions. Net profits to be distributed or used as follows: (1) 10% for Canton ABC board for law enforcement, and 5% for education as to effects of use of alcoholic beverages and for rehabilitation; (2) 64% of remainder to town general fund, and 36% to Haywood County general fund with one-half to be allocated to Haywood County Board of Education.] To Propositions and Grievances.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 69 - Congress Dist. Mills-Griffin (Senate committee substitute 5/19). Passed second reading.
SB 380 - Motor vehicle inspections. Passed second and third readings.
SB 386 - ABC tax prohibition. Reported favorably as amended.
SB 416 - Private school driver training (Senate committee substitute 5/22), Passed second reading.
SB 443 - Migratory waterfowl. Passed second and third readings.

HB 577 - Sub-pint liquor (House committee substitute 5/10). Reported unfavorably.
HB 738 - Coupled vehicle length, as amended in House 5/19 and 5/22. Received from House; sent to Public Roads.
HB 976 - Sweet wine manufacture. Reported favorably as amended.

LOCAL BILLS

SB 435 - (Robeson) City school annexation vote. Passed.
SB 487 - (Robeson) City school annexation vote II. Passed.

HB 787 - (Cabarrus) Watershed condemnation. Passed.

BILLS RATIFIED

SB 83 - Teachers Summer Expenses. [Ch. 550]
SB 126 - Bakery license tax. [Ch. 551]
SB 135 - Glue sniffing prohibition. [Ch. 552]
SB 155 - Chain store tax exemption. [Ch. 553]
SB 163 - County welfare fund transfers, as amended in Senate 4/28. [Ch. 554]
SB 174 - Revenue bond sales. [Ch. 555]
SB 198 - Savings and loan shares. [Ch. 556]
SB 199 - Savings and loan advisors, as amended in Senate 4/14. [Ch. 557]
SR 290 - (Joint Resolution) Jail study commission, as amended in Senate 5/16.[R 53]
SB 357 - Self-liquidating projects (1). [Ch. 558]
SB 359 - Self-liquidating projects (3). [Ch. 559]
SB 393 - Warehouse Act produce levy. [Ch. 560]
SB 402 - Amends SB 181. [Ch. 561]

HB 251 - Uniform Com'l Code changes, (House committee substitute 5/12) as amended in House 5/17. [Ch. 562]
HB 316 - Militia amendment, as amended in Senate 5/18. [Ch. 563]
HB 468 - Veterans Guardianship changes, as amended in Senate 5/18. [Ch. 564]
HB 504 - Proof of laws, as amended in House 4/26. [Ch. 565]
HB 642 - (Hyde) Land from sound. [Ch. 566]
HB 703 - (Gaston) Spencer Mt. corporate limits. [Ch. 567]
HB 722 - (Rowan) Watershed improvement tax. [Ch. 568]
HB 734 - (Pitt) Greenville radio-TV. [Ch. 569]
HB 735 - (Pitt) Greenville firemen retirement. [Ch. 570]
HB 736 - (Pitt) County-city airport authority. [Ch. 571]
HB 759 - (Pamlico) Florence White school deed. [Ch. 572]
HB 767 - (Guilford) Firearms prohibition. [Ch. 573]
HB 793 - (Wake) Tax regs, and districts. [Ch. 574]
HB 804 - (Guilford) Disturbing peace. [Ch. 575]
HB 928 - (Wake) Validating Raleigh contracts. [Ch. 576]
HB 929 - (Wake) Cary water and sewer charges. [Ch. 577]
HB 932 - (Franklin) Well contractor licensing. [Ch. 578]
HB 933 - (Franklin, Vance, Warren) Abandoning animals. [Ch. 579]

Next session of Senate: 12 noon, Wednesday, May 24, 1967

BULLETIN NO. 75
Tuesday, May 23, 1967

Session: House -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1097 - Introduced by Gregory
"To amend subsection (d) of G.S. 20-129 pertaining to rear lamps on motor vehicles." [Rewrites cited section to provide that every motor vehicle, trailer, semi-trailer attached to a motor vehicle, and vehicle drawn at end of a combination of vehicles must carry at rear two lamps of type approved by Commissioner of Motor Vehciles. (Now, requires motor vehicles, trailers or semi-trailers drawn at end of a train of vehicles to carry at rear a lamp of type approved by Commissioner.) Provides that one rear lamp or separate lamp be so constructed and placed that rear number plate under normal conditions be illuminated by a white light to be read from a distance of 50 feet to rear of vehicle. (Now, requires that the single light be so constructed and placed that number plate carried on rear under normal conditions be illuminated by a white light etc.) Exempts from two red lamp requirement tractors, motorcycles, tractor-trailers and vehicles originally manufactured with one rear lamp. Carries forward present provisions relating to use of red reflectors but deletes requirement that reflectors be placed at extreme end of load.] To Highway Safety.

HB 1098 - Introduced by Gregory
"To amend subsection (b) of G.S. 20-127 pertaining to windshield wipers." [Adds to cited section, requiring windshield wipers to be in good working order, provision that on any vehicle equipped by its manufacturer with such devices on both right and left sides of windshield, both devices be in working order.] To Highway Safety.

HB 1100 - Introduced by Edwards
"To amend Chapter 24 of the 1967 Session Laws." [Amends HB 41 by making act effective July 1, 1967 (now, effective October 1, 1967. Cited act corrects technical errors in various General Statutes.)] To Judiciary 2.

HB 1101 - Introduced by Church
"To amend G.S. 20-90 and G.S. 20-91 pertaining to six percent (6%) gross revenue tax on common carriers of passengers and common carriers of property." [Rewrites GS 20-90 making license renewal period January 1 to February 15 (now, December 1 to January 31). Provides that when contract carrier or flat rate common carrier of property becomes regular common carrier of property gross revenue for 6% tax purpose to be all revenue earned from operations on and after January 1 preceding carrier's change to a regular common carrier during renewal period. (Now, such carrier's gross revenue is all revenue earned from operations on and after January 1 following carrier's change to a regular common carrier, if changed in December, and all revenue earned from operations on and after January 1 preceding change to regular common carrier if changed in January.) Provides that when carrier becomes flat rate common carrier of property or a contract carrier during license renewal period gross revenue for 6% tax to be all revenue earned from operations up to and including operations on December 31 preceding carrier's change to flat rate common carrier or contract carrier if change made during renewal period provided for in act. (Now, carrier's gross revenue to include all revenues earned from operations up to and including operations on December 31 following carrier's change to flat rate common carrier or contract carrier if change made in December.)

Rewrites GS 20-91(b) to require all common carriers of passengers or property to report, to Department of Motor Vehciles before thirtieth of each month, gross revenue earned and gross mileage operated during previous month in manner and on form required by Dep't. Provides that if reports filed late, penalty of 5% of gross receipts tax reported to be due in addition to gross receipts tax and not to be claimed as credit against tag deposit. Authorizes Commissioner to waive 5% penalty upon proof by carrier that late filing was due to extenuating circumstances beyond carrier's control. (Now, all such carriers simply required to make report to Department by thirtieth of each month, of gross revenue earned and gross mileage operated during previous month.)] To Finance.

HB 1102 - Introduced by Godwin of Gates and Culpepper

"To amend Chapter 15 of the General Statutes to authorize superior and district court judges to make determinations of indigency, appoint counsel, and fix counsel fees in preliminary examinations in felony cases." [Amends GS Ch. 15 (Criminal Procedure) by adding new GS 15-5.4 authorizing district and superior court judges to make determinations of indigency and to appoint counsel under provisions of GS 15-4.1 (Appointment of counsel for indigent defendants) and GS 15-5.1 (State Bar Council regulations relating to counsel for indigent defendants) to represent defendants at preliminary examinations. Provides that attorneys appointed under act who represent accused at preliminary examination at which no probable cause found are entitled to fee fixed by district court judge pursuant to GS 15-5 (Fees allowed counsel assigned to indigent defendant); if probable cause found, attorney's fee to be fixed by superior court judge presiding at trial or other disposition of charges. Effective July 1, 1967.] To Courts and Judicial Districts.

HB 1103 - Introduced by Godwin of Gates and others

"To provide for the appointment of counsel for indigent juveniles at delinquency hearings, and to provide for the compensation of counsel." [Adds new GS 110-29.1 providing that any authorized juvenile judge prior to conducting hearing under GS 110-29 (hearing on and disposition of child in juvenile court) in which finding of delinquency and commitment to an institution is possible,shall inform child and parents that child is entitled to representation of counsel and that if financially unable to retain counsel, court will appoint counsel to represent child; determination of indigency to be made under standards established in GS 15-5.1 (counsel for indigent defendants). Fee for appointed counsel to be fixed by judge conducting hearing and paid under same procedures and from same fund as counsel fees appointed in adult indigent cases. To assure uniformity of fees, Administrative Officer of Courts authorized to promulgate rules for guidance of judges, subject to approval of Supreme Court. Effective July 1, 1967.] To Courts and Judicial Districts.

HB 1104 - Introduced by Burden

"To exempt from State income tax benefits from firemen's retirement and pension funds." [Amends GS 105-141 by adding new subsection (b) (12) providing that "gross income" for State income tax pruposes not to include amounts received in lump sum or monthly payments of benefits from retirement and pension funds established for firemen by or under control of cities or counties in State; such amounts to be exempt from income tax only if they would have been exempt under GS 143-166 (Law Enforcement Officers' Benefit and Retirement Fund) or GS 128-31 (North Carolina Local Governmental Employee's Retirement Fund) if such cities or counties elected to provide such benefits for firemen. Effective January 1, 1967.] To Finance.

HB 1105 - Introduced by Mills of Anson and Johnson of Duplin
"To amend Part 4 of Chapter 108 of the General Statutes entitled 'Hospitalization and other Care of Assistance recipients' (as distinguished from Part 4 of Chapter 108 of the General Statutes entitled 'Medical Assistance'), and to amend Part 4A of the General Statutes entitled 'Hospitalization and other care for the medically indigent,' to provide for direct payments to physicians, dentists, optometrists, and nursing homes on behalf of certain indigent persons." [Amends GS 108-73.13 (hospitalization fund for welfare recipients) to provide that fund shall apply for hospitalization "and other care" (now, only hospital), and to add provision that disbursements from fund may also be for providing necessary care and services of physicians, dentists, or optometrists, licensed under or approved by laws of NC or any other state, and care by nursing homes so licensed or approved (now, disbursements only for hospital care and drugs). Amends GS 108-73.14, -73.15, -73.16, -73.17, and 73-19 (all relating to payments for medical care of assistance recipients or indigent patients) to conform them so as to permit payments for new types of medical assistance as described. Amendment to GS 108-73.17 permits disbursements to licensed physicians, dentists, optometrists, and nursing homes, as well as to hospitals and pharmacies. Effective July 1, 1967.] To Public Welfare.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1099 - (Brunswick) Introduced by Williamson and Collier
"Relating to the funds of the Brunswick County Peace Officers' Relief Association." [Provides that all funds in hands of above designated Relief Association to be transferred and paid into General Fund of County and may be expended for any proper county public purpose.] To Local Government.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 116 - Withdrawing criminal appeals. Reported favorably.
SB 289 - Local jail law revision, as amended in Senate 3/16. Passed second and third readings.
SB 407 - Charity solicitation reports. Floor amendment adopted making technical changes and requiring that detailed financial reports of licenses be sent to both State Treasurer and State Board of Public Welfare (in original bill, only State Treasurer). Passed second reading; postponed to 5/24.
SB 457 - Sanitary district advances. Received from Senate; sent to Judiciary 1.

HB 5 - Discretionary revocation,(House committee substitute 5/18). Passed second reading; floor amendment adopted, providing that licenses returned to owner under act to be returned for cost not exceeding $25; passed third reading.
HB 604 - Epileptic drivers licensing. Reported favorably as to committee substitute; committee substitute adopted removing "grand mal epileptic" from those not entitled to motor vehicle operator's or chauffeur's license under GS 20-9(d) (original bill contained detailed provisions for determining instances in which license may be granted to the group).
HB 903 - Motor vehicle inspection. Reported favorably.
HB 908 - Liens on personal property. Reported favorably as amended.
HB1014 - Health Insurance Advisory Board. Passed second and third readings.

LOCAL BILLS

SB 329 - (Brunswick, New Hanover) Land from ocean. Floor amendment adopted to refer to filled in land as lying between property line and "low water mark" of ocean (in original bill, "water mark"). Re-referred to Judiciary 1.
SB 374 - (Union) Monroe school board election, as amended in Senate 5/22. Received from Senate; sent to Education.
SB 479 - (Nash) County zoning powers. Received from Senate; sent to Judiciary 1.
SB 494 - (Cherokee) Officials' salaries. Received from Senate; sent to Local Government.

HB 292 - (Pender) Deer preservation (Senate committee substitute 5/19). Received for concurrence in Senate committee substitute; sent to Wildlife Resources.
HB 758 - (Carteret) Trapping season, as amended in Senate 5/22. Received for concurrence in Senate amendment; concurred.
HB 766 - (Burke) Consolidating school units, as amended in House 5/19. Passed third reading.
HB 862 - (Lincoln) Commissioner compensation. Reported favorably as to committee substitute; substitute adopted adding provision that Lincoln County Commissioners to receive $25 per day while on duties of office outside county and uniform mileage not over 7¢ per mile (original bill made no provision for expenses, only for salaries).

UNNUMBERED HOUSE RESOLUTIONS

HR [A] - IRC movie evidence study. Reported favorably.
HR [C] - Voting age study. Reported favorably.

Next session of House: 12 noon -- Wednesday, May 24, 1967.

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P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 76

Wednesday, May 24, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 529 - Introduced by Bailey and others
"To provide for the restoration and repair of the Legislative Chambers and the structure of the State Capitol Building." [Identical with HB 1110, digested in the House section of today's bulletin.] To Appropriations.

SB 530 - Introduced by Dent
"To provide for the humane slaughter of livestock." [Slaughter and handling of livestock (cattle, calves, sheep, swine, horses, mules, goats, and any other animal used as meat product) required to be in humane manner and methods of slaughter to conform to those employed in other states requiring humane slaughter by law and those authorized by Federal Humane Slaughter Act of 1958. Requires beginning July 1, 1967 that no slaughterer (any person regularly engaged in commercial slaughtering of livestock), packer (any person engaged in business of slaughtering or manufacturing or preparing meat products for sale), or stockyard operator (anyone operating facility for profit as public market, consisting of pens, or other enclosurers for handling livestock for sale or shipment) shackle, hoist, or otherwise bring livestock into position for slaughter by any method which shall cause injury or pain. Beginning July 1, 1967 no slaughterer, packer or stockyard operator to bleed or slaughter livestock except by humane method, but act not to apply to farmers or other persons who slaughter their own animals for food for family use. Humane method defined as either (1) method whereby animal is rendered insensible to pain by mechanical, electrical, chemical or other effective means before being shackled, hoisted, thrown, cast or cut up, or (2) methods in accordance with ritual requirements of Jewish faith or any other religious faith whereby animal suffers loss of consciousness by anemia of brain caused by simultaneous and instantaneous severance of cartoid arteries with sharp instrument. Violation of act to be misdemeanor punishable by fine of not less than $300 or imprisonment for not more than six months or both.] To Agriculture.

SB 531 - Introduced by Brumby
"To appropriate funds to the Cherokee County Board of Education for the construction of a vocational building by the Tri-County Industrial Education Center." [Appropriates $7,500 from General Fund of State as title indicates.] To Appropriations.

SB 532 - Introduced by Scott and others
"Relating to the classification, appraisal, valuation, assessment and taxation of land actively devoted to agricultural uses." [Identical with HB 1117, digested in the House section of today's bulletin.] To Finance.

SB 533 - Introduced by Morgan

"To amend G.S. 105-88 relating to privilege licenses for real estate mortgage brokers." [Identical with HB 1112, digested in the House section of today's bulletin, except as to effective date (effective July 1, 1967).] To Finance.

SB 534 - Introduced by Morgan

"To amend Article 12 of Chapter 20, the Motor Vehicle Dealers and Manufacturers Licensing Law, to clarify the definition of established place of business and to provide for denial, suspension or revocation of licenses for wilful and intentional failure to comply with certain provisions of the motor vehicle laws concerning registration, certificates of title, transfers of title, use of registration plates, and anti-theft." [Amends GS 20-286(6) to incorporate into definition of "established place of business" that it be a salesroom containing at least 64 square feet of floor space (now, just salesman with no delineation of floor space) and that such salesroom have displayed thereon or adjacent thereto a sign clearly designating trade name of business (new). Amends GS 20-294(2) (grounds for denying, suspending or revoking licenses) by adding as grounds for such denial, suspension or revocation: violations of GS 20-52.1 (manufacturer's certificate of transfer of new motor vehicle), GS 20-75 (transfer of title when transferee is dealer), GS 20-79.1 (use of temporary registration plates or markers by purchasers, in lieu of dealers' plates), GS 20-82 (requiring manufacturer or dealer to keep record of vehicles received or sold), GS 20-108 (vehicles without manufacturers numbers), GS 20-109 (altering or changing engine or other numbers) or rescission and cancellation of dealer's license and dealer's plates under GS 20-110(c), GS 20-110(e) or GS 20-110(f). (Now, grounds for such denial, suspension, etc., are wilful and intentional failure to comply with any provision of GS Ch. 20, Art. 12 or any regulation promulgated by Department of Motor Vehicles under Art.).] To Judiciary 2.

SB 535 - Introduced by Morgan

"To amend the securities law, same being Chapter 78 of the General Statutes, so as to place North Carolina state banks on a parity with national banks and to make available additional exemptions for corporations organized in this state." [Amends GS 78-3(3) to exempt from application from GS Ch. 78 (Securities Law) any security issued by and representing an interest in a national bank, federal land bank, joint-stock land bank, or national farm loan association under Federal Farm Loan Act of 1916 (now, any security issued by national bank, etc.). Amends GS 78-4(7) to add proviso to subscriptions for sales of securities in domestic corporations (an exempted transaction from operation of GS Ch. 78) that exemption is available for offering of only two classes of securities issued by same corporation. Adds GS 78-4(14) exempting from GS Ch. 78, any transaction involving issuance of security (a) in connection with employees' stock purchase, savings, pension, profit sharing or similar benefit plan or (b) in connection with retirement plans for self-employed individuals if that security is issued: (1) by bank organized under US law, or any bank, savings institution, or trust company organized and supervised under NC laws; and (2) under plan established in accordance with US Internal Revenue Code. Provides, however, that Secretary of State may revoke exemption of subsection (a) or (b) with respect to specific security or transaction found unlawful, against public policy or contrary to sound business practices.] To Judiciary 2.

SB 536 - Introduced by Harrington

"To amend G.S. 136-66.3 Subsection (c) so as to properly designate officials of the State Highway Commission." [Rewrites cited subsection (granting to municipalities the same rights of condemnation for streets as possessed by Highway Commission) to refer to "Administrator, Administrator of Highways, Administrator of the Highway Commission, Chairman, Chairman of the Highway Commission" rather than to "Director, Director of the Highway Commission, Director of the Highways" as one in whose place municipal clerk stands in exercise of such powers by municipality.] To Public Roads.

SB 537 - Introduced by Harrington

"To amend Part 3 of Article 3 of Chapter 136 of the General Statutes to clarify the powers and duties of the State Highway Commission with regard to the alteration or abandonment of portions of the State Highway System." [Amends GS 136-54 (Power of State Highway Commission to make changes) by deleting requirement that Commission act subject to GS 136-56 (referred to later in digest). Rewrites GS 136-55 to provide that upon approval by Commission of preliminary design for relocation or construction upon new location of any State, Federal or Interstate numbered highways, Commission to post map at courthouse door in county or counties where proposed project is located showing existing location and new location of said highway, and any segments of existing highways which are to be abandoned and removed from State highway system for maintenance by Commission upon completion and opening to traffic of new or relocated highway. (Now, provides that before any road being maintained by Commission as part of state highway system can be changed, altered or abandoned, chairman or authorized agent to notify road-governing authorities of county or counties in which said change, etc. is proposed, and map be posted at courthouse door showing old location and new proposed location. Sets forth details of protest hearing and appeal from decision of commissioner to Commission as a whole). Rewrites GS 136-55.1 providing that at least 60 days prior to any action by Commission abandoning segment of road and removing same from State highway system for maintenance, except those segments provided for in GS 136-55 and roads abandoned on request of county commissioners under GS 136-63, Commission to post notice at courthouse door to include a map or sketch of road or segment of road which Commission proposes to abandon, giving date of Commission meeting at which proposed action is to be taken. (Now, requires notification of proposed change, alteration or abandonment of any road by posting map showing old location and new proposed location with Commission to notify all property owners affected thereby, by certified mail and by publication in county newspaper setting forth in general terms proposed change, alteration etc., and calling attention to map on courthouse door.) Repeals GS 136-56 (providing that number of State highways entering corporate limits of county seat not be reduced without consent of street-governing body of town). Amends GS 136-59 (no court action but by local road authorities) by repealing authority of local road authorities to maintain action in courts of State against Commission to determine location of State highways or portions thereof.] To Public Roads.

SB 538 - Introduced by Harrington

"To authorize the State Highway Commission to enter into agreements with adjoining states relating to the construction of highways connecting the State Highway System with the highways of adjoining states." [Adds new subsection (23) to GS 136-18 (powers of State Highway Commission) authorizing SHC to enter into agreements with adjoining states regarding planning, location, engineering, right-of-way acquisition, and construction of roads and bridges connecting State Highway System with public roads of such states and to plan, survey, engineer, acquire, and construct short segments of roads in such other states with cost to be reimbursed by them and to enter into agreements with other states for reimbursement of other states' costs of doing such work in this state, with SHC to have right of approval of contracts for such work.] To Public Roads.

SB 539 - Introduced by Evans

"To authorize involuntary outpatient treatment of the mentally ill or inebriate." [Adds new GS 122-63.1 providing that after "judgement" under GS 122-63 (finding of need for observation of mentally ill or inebriate person) person may be ordered by CSC to receive out-patient treatment for period not to exceed 180 days instead of confinement and treatment in a State Hospital. Treatment shall be administered under direction of physician licensed to practice in State or in

clinic or center for care and treatment of such persons or in other out-patient facility approved by Department of Mental Health. If petitioner under GS 122-63 or either of two examining physicians notifies CSC that person has failed to comply with conditions for such treatment, CSC may order new hearing and after evidence may judicially admit person to proper state hospital. Examing physician per GS 122-62 shall not administer such out-patient treatment.] To Mental Institutions.

SR 540 - (Joint Resolution) Introduced by Moore and others
"Authorizing and directing the Legislative Research Commission to study ways and means for providing more medical doctors for small towns and communities." [Identical with HR 1116, digested in the House section of today's bulletin.] To Rules.

SB 542 - Introduced by Whitehurst and others
"To increase the death benefits certain fraternal societies may provide without becoming subject to Article 27 of the North Carolina insurance law." [Identical with HB 1109, digested in the House section of today's bulletin.] To Insurance.

SB 543 - Introduced by Whitehurst and others
"To provide a seafood marketing development program." [Identical with HB 1107 digested in Senate section of today's bulletin.] To Appropriations.

SB 544 - Introduced by McGeachy
"Relative to the term of office of superintendents of county and city public schools." [Amends GS 115-39 to authorize appointment of cited officials for either two or four year terms (now, appointments are for two year terms). Identical with HB 1003, digested in House section of Bulletin No. 69 at page 664.] To Education.

LOCAL BILLS INTRODUCED -- SENATE

SB 541 - Introduced by Buchanan
"To authorize and provide for an election or referendum on the levy of a supplemental school tax in the Henderson County School Administrative Unit." [Requires Henderson board of elections to call, within 90 days of effective date of act, election in county school administrative unit on question of whether local supplemental school tax authority not to exceed 40¢ per $100 valuation of property shall be levied. Board of elections to hold election in accordance with GS 115-122 and other applicable provisions; sets out registration requirements; authorizes elections board to establish new precincts; and states form of ballot. If voters approve, county comm'rs to levy school supplemental tax up to 40¢ authorized.] To Education.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 69 - Congress Dist. Mills-Griffin, (Senate committee substitute 5/9). Passed third reading.
SB 175 - Drilling and boring records. Reported favorably as amended.
SB 239 - Freely chosen podiatrists. Reported favorably as amended.
SB 254 - Employee political activity. Reported favorably as amended.
SB 292 - Omnibus court amendments, as amended in Senate 5/22. Passed second reading.
SB 443 - Migratory waterfowl. Passed third reading.
SR 451 - (Joint Resolution) Barring insurer's advertising. Reported favorably.
SB 472 - Annual session amendment. Reported favorably; placed on calendar for 5/30.
SB 473 - Health Ins. Advisory Board. Reported favorably.

SB 474 - Insurance premium finance fees. Reported favorably as amended, re-referred to Finance.
SB 475 - Insurance service charge. Reported favorably.
SB 480 - Liquor-by-drink control #II. Reported favorably as amended; placed on calendar for 5/31.
SR 506 - (Joint Resolution) Designating Flag Day. Reported favorably.

HB 5 - Discretionary revocation, (House committee substitute 5/18), as amended in House 5/23. Received from House; referred to Insurance.
HB 53 - Cross burning penalty, as amended in Senate 5/5. Conference report adopted deleting work release amendment of 5/5.
HB 512 - Adoption of blood relatives. Reported favorably.
HB 632 - Mortgage guaranty insurance. Reported favorably.
HB 935 - Dependent child definition. Reported favorably.
HB 976 - Sweet wine manufacture. Passed second reading.
HB 1014 - Health Insurance Advisory Board. Received from House; placed on calendar for 5/25.

LOCAL BILLS

SB 118 - (Buncombe) Radio & Iden. Bureau, as amended in House 5/19. Failed to concur in House amendments.
SB 504 - (Lee) Sanford ABC supervisor salary. Passed.
HB 766 - (Burke) Consolidating school units, as amended in House 5/22. Received from House; referred to Education.
HB 864 - (Lincoln) Lincolnton ABC election, as amended in House 5/18. Passed.
HB 999 - (Harnett) ABC store election. Passed.

BILLS RATIFIED

SB 226 - Educational loans. [Ch. 580]
SB 289 - Local jail law revision, as amended in Senate 5/16. [Ch. 581]
SB 302 - Cemetery desecration, as amended in Senate 5/10 and House 5/19. [Ch. 582]
SB 334 - (Gaston) County school board, (Senate committee substitute 5/18). [Ch. 583]
SB 358 - Self-liquidating projects (2), as amended in Senate 5/15. [Ch. 584]
HB 516 - (Northampton) Gaston animal slaughter o.k.'d. [Ch. 585]
HB 622 - (Macon) Building permits. [Ch. 586]
HB 625 - (Forsyth) Dog damages. [Ch. 587]
HB 667 - (Stanly) Land to vocational workshops. [Ch. 588]
HB 695 - (Graham) Robbinsville police. [Ch. 589]
HB 733 - (Pitt) Ayden recreation funds. [Ch. 590]
HB 758 - (Carteret) Trapping season, as amended in Senate 5/22. [Ch. 591]
HB 787 - (Cabarrus) Watershed condemnation. [Ch. 592]
HB 794 - (Northampton) Game taking penalty. [Ch. 593]
HB 812 - (Johnston) County offices. [Ch. 594]
HB 820 - (Buncombe) Highway deer hunting. [Ch. 595]
HB 866 - (Anson) Wadesboro volunteer fire hall. [Ch. 596]
HB 889 - (Wake) Garner charter changes. [Ch. 597]
HB 925 - (Mecklenburg) Recreation funds. [Ch. 598]
HB 949 - (Forsyth) Winston-Salem property sale. [Ch. 599]
HB 971 - (Sampson) Roseboro ABC profits. [Ch. 600]

Next session of Senate: 12 noon, Thursday, May 25, 1967.

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BULLETIN NO. 76

Wednesday, May 24, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1107 - Introduced by Taylor of Carteret and others
"To provide a seafood marketing development program." [Appropriates to Division of Commerce and Industry of Department of Conservation and Development from General Fund $34,566 and $33,720 for fiscal years 1967-68 and 1968-69, respectively. Iden. with SB 543.] To Commercial Fisheries and Oyster Industry.

HB 1108 - Introduced by Taylor of Carteret
"To amend G.S. 106-405.1 and G.S. 106-405.3 relating to the feeding of garbage to swine." [Redefines "garbage" (as defined in GS 106-405.1 for purposes of Part 10 of Ch. 106 on feeding garbage to swine) as "consisting in whole or in part of animal waste resulting from handling, preparing, cooking and consuming food, including the offal from or parts thereof" and provides that Commissioner of Agriculture or representative may exempt waste resulting from processing sea food from definition (now, defined as "putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of foods including animal carcasses, parts of animal carcasses, offal or contents of offal"). Amends GS 106-405.3 (application for permit for feeding garbage to swine) to raise permit fee from $1 to $25. Effective July 1, 1967.] To Judiciary 2.

HB 1109 - Introduced by Godwin of Craven
"To increase the death benefits certain fraternal societies may provide without becoming subject to Article 27 of the North Carolina Insurance Law." [Amends GS 58-291 (exempting certain groups from regulation as fraternal benefit societies) to raise from $500 to $1500 the amount of death benefits that may be provided by association of local lodges of society doing business in State and still qualify for exemption. Identical with SB 542.] To Insurance.

HB 1110 - Introduced by Vogler and others
"To provide for the restoration and repair of the Legislative Chambers and the structure of the State Capitol Building." [Appropriates from General Fund to Department of Archives and History $33,000 for restoration and refurbishing of legislative chambers of State Capitol and $51,375 from same source to General Services Division of Department of Administration for necessary repairs, alterations, and restoration of structure of that building. Identical with SB 529.] To State Government.

HB 1111 - Introduced by Hamrick
"To amend G.S. 136-29 to provide for an extension of time within which the Highway Administrator must render a decision on a claim filed under said statute." [Amends cited section to provide that Administrator must make investigation of written claim of contractor under his contract within 90 days of receipt of claim "or within such additional time as may be agreed to between the State Highway Administrator and the contractor" (adds quoted words).] To Judiciary 1.

HB 1112 - Introduced by Hunter of Mecklenburg and Vogler
"To amend G.S. 105-88 relating to privilege licenses for real estate mortgage brokers." [Provides that nothing in cited section (requiring licenses of loan companies) shall be construed to require real estate mortgage brokers to obtain license under section and to strike reference to "brokers" in caption of section. Effective July 1, 1966. Identical with SB 533 except as to effective date.] To Finance.

HR 1113 - (Joint Resolution) Introduced by Bailey and others

"Directing the Governor's Coordinating Council on Aging to study the feasibility of an exemption from ad valorem taxation of certain real property of person's sixty-five years or older." [As title indicates; study to be of feasibility of exempting from ad valorem taxation the principal dwelling place of State resident of age indicated in title. If Council finds exemption feasible and of material benefit to State's senior citizens, it shall recommend to '69 General Assembly the amount of such exemption.] To Finance.

HR 1116 - (Joint Resolution) Introduced by Johnson of Duplin and others

"Authorizing and directing the Legislative Research Commission to study ways and means of providing more medical doctors for small towns and communities." [As title indicates; calls for in-depth study with Legislative Research Commission to report its findings and recommendations and to propose legislation to 1969 General Assembly.] To Finance.

HB 1117 - Introduced by Johnson of Duplin

"Relating to the classification, appraisal, valuation, assessment and taxation of land actively devoted to agricultural uses." [Amends GS Ch. 105, Art. 15 (Classification, Valuation and Taxation of Property) by adding new GS 105-295.1, -295.2 and -295.3. GS 105-295.1 provides that land actively devoted to agricultural uses be classified as a special class of property under authority of Art. V, Sec. 3 of NC Constitution, and be valued, assessed and taxed uniformly as a class in each local taxing unit when (regardless of ownership) it has been so devoted to agricultural uses for at least two successive years immediately preceding tax year for which valued. Provides, for purposes of this Act, that land shall be actively devoted to agricultural uses when used in production or growing of crops, plants or animals or other farm commodities for sale for human use or consumption including but not limited to forage and sod crops, gains and feed crops, dairy animals and dairy products, poultry and poultry products, livestock, bees and apiary products, and other categories specified in act. Provides that assessor in valuing such land to consider only those indicia of value which such land has for agricultural use. GS 105-295.2 provides that where land meets minimum qualifications for classification, valuation, assessment and taxation under GS 105-295.1 but it appears that part of such land is not actively devoted to agricultural uses, county board of equalization and review in accordance with GS 105-327(g)(4) may value all or part of such land actively devoted to agricultural use. GS 105-295.3 provides that any taxpayer or landowner liable for taxes upon any such land valued and assessed for ad valorem tax purposes prior to enactment of this section or has not been appraised, valued etc., may apply in writing to board to have such land reappraised, revalued and reassessed; burden of showing land devoted to agricultural use to be upon taxpayer with application to set forth number of successive years immediately preceding date of application in which land devoted to agricultural use, location, acreage uses of contiguous or other immediate land, previous valuation of such land and any pertinent facts. Provides for appeal from order of board and appeal to State Board of Assessment in accordance with GS 105-329.

Amends GS 105-279 (listing and assessing in years other than revaluation years) by adding new subparagraph (j) to include all real property to be assessed or reassessed that was last assessed as other than land devoted to agricultural uses, if it appears to board that such land does qualify as land actively devoted to such use as defined in GS 105-295.1. Effective January 1, 1968. Identical with SB 532.] To Health.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1106 - (Beaufort) Introduced by Roberson and Burrus

"To amend Chapter 163 of the Session Laws of North Carolina, 1963, relating to the election of the City Council in the City of Washington." [Revises Washington City Charter provisions relating to election procedures, making the

following changes: (1) Provides for non-partisan (now, partisan) biennial, at large elections for city council in odd-numbered years. (2) Substitutes filing of candidacy procedures for partisan primaries. Provides for challenge day to be second Saturday preceding the election (now, preceding the primary). (2) Provides for appointment of registrar and two poll holders for each precinct during March of odd years by city council (now, by Beaufort County Board of Elections). Continues present provisions for breaking of ties and determination of disputes regarding election by county board of elections. (4) Makes clear that city clerk is responsible for all notice publications, ballot preparations, filing of candidates' notices, and all other functions in connection with city elections, as city council may direct. (5) Omits prohibition against absentee voting.] To Counties, Cities and Towns.

HB 1114 - (Wake) Introduced by Johnson, McMillan, Bunn, and Twiggs

"To authorize the Town of Fuquay-Varina to provide for a retirement system or death benefits for its officers and employees." [Provides that Fuquay-Varina governing body may, in lieu of participating in Local Government Employee's Retirement System, expend funds for retirement system or death benefit and retirement system, or both, for town officers and/or employees. Governing body may place entire expense on town or part of it on officers or employees, may determine whether it shall cause independent retirement system to be created or pay premiums to purchase such benefits or death benefits, and may adopt rules and regulations governing participation and eligibility.] To Judiciary 1.

HB 1115 - (New Hanover) Introduced by Hill

"Amending Chapter 1068, Session Laws of 1963 so as to provide that the solicitor of the recorder's court of New Hanover County may practice law." [Amends cited act (providing that Judge and Solicitor of New Hanover County Recorder's Court shall not practice law nor be partner or associate of one practicing law during his term of office) to make the restriction applicable only to Judge, and repeals SL 1965, Ch.704 (fixing salaries of officials) to extent in conflict with change.] To Judiciary 2.

HB 1118 - (Randolph) Introduced by Garner

"To validate certain acts of W. C. Craven of Randolph County, performed in his capacity of Justice of the Peace." [As title indicates, to apply to all official acts in such capacity from March 25, 1961 to May 22, 1967 except pending litigation.] To Judiciary 2.

HB 1119 - (Watauga) Introduced by Isaac

"To amend Chapter 107 of the Private Laws of 1907 and Chapter 187 of the Private Laws of 1931 relating to the Town of Boone." [Adds to corporate limits of town of Boone by adding to metes and bounds description of territory referred to as having been annexed under general law, effective July 15, 1965. Adds to Pr. L. 1907, Ch. 107 (officers of town) provision that board of aldermen may adopt resolution increasing their number from three to five, effective at regular election following such action with notice of increase to be included with notice of election at which increase is effective. Amends Pr. L. 1931, Ch. 187 to provide that mayor's salary may be determined by aldermen, not to exceed $2,400 per year (now, $300 to $1,000) and their own salaries, not to exceed $300 per year (now, $100) and retains provision that not more than $100 extra may be paid to alderman serving as clerk.] To Local Government.

HB 1120 - (Buncombe) Introduced by Greenwood, Harkins, and Jordan

"To authorize the Board of County Commissioners of Buncombe County to call a special or general election to authorize the levy of an additional supplemental tax not to exceed forty cents on each one hundred dollars valuation of taxable property in Buncombe County to provide for the construction, maintenance, support and operation of the public schools of the City of Asheville and County

of Buncombe." [Authorizes county commissioners to call special or general election on June 27, 1967 for qualified voters of each public school district in County on question of supplemental annual ad valorem tax not to exceed 40¢/$100 valuation within districts, to provide for construction and operation of Asheville and County schools. Asheville City Administrative Unit is deemed a public school district for purpose of this election. Provides special registration for election with books to be open in each district. Comm'rs may levy tax within each district in which majority approves. Amount of tax to be decided by comm'rs and included in each year's budget with same amount per $100 dollar valuation in each district in which majority approves. If approved by majority of all voters in county, tax proceeds must be apportioned between County and Asheville school boards on per capita enrollment basis determined by State Board of Education and certified to each administrative unit involved. Its portion of levy may be used by County school board for construction or improvement of school buildings or other capital expenditures. If not so approved, levy may be made in approving districts, with similar use by County school board restricted to buildings in approving districts. Whether or not approved, existing taxes not to be altered by action, but approved levy shall replace any existing supplemental school taxes previously authorized within same administrative unit. Election shall be held by county board of elections under applicable provisions of general election laws providing for election of members of General Assembly and no other question to be presented to voters at election. County board of elections empowered to create new voting precincts in areas deemed proper for election and to appoint officials for election including those for new precincts and to establish necessary books, records, regulations and procedures, including form of ballot, for election.] Placed on calendar for 5/25.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 116 - Withdrawing criminal appeals. Passed second and third readings.

SB 180 - Auto property damage claims. Reported favorably as to committee substitute. Committee substitute adopted making clarifying changes and providing that settlement to be a release only if "written" terms of "properly executed" settlement agreement so provide (adds quoted words).

SB 219 - Noncourthouse comm'r meetings, as amended in Senate 4/26. Postponed to 5/25.

SB 380 - Motor vehicle inspections. Received from Senate; sent to Highway Safety. Recalled from committee and placed on calendar. Postponed to 5/25.

SB 407 - Charity solicitation reports, as amended in House 5/23. Passed third reading..

HB 53 - Cross burning penalty, as amended in Senate 5/5. Conference report adopted deleting work release amendment.

HB 205 - Loose leaf registration. Reported favorably.

HB 409 - Certifying absentee ballots. Reported favorably.

HB 421 - National Guard auto plates. Reported favorably as to committee substitute. Committee substitute adopted providing for numbering of license plates for officers of National Guard from 201 to 1600 to be distributed to NG officers according to seniority with lowest number going to senior officer. Adjutant General shall furnish Commissioner of Motor Vehicles with annual estimate of required National Guard plates and list of officers and their rank and seniority (in original bill, no special provisions for officers and no information required from Adjutant General). Enlisted personnel applying for NG plates shall prove NG membership with certificate signed by commanding officer on form approved

by Commissioner and Adjutant General (in original, proof to be by all applicants on form provided by Department of Motor Vehicles). Provides that holder of such plate discharged other than honorably from NG shall exchange plate for standard plate within 30 days (new).

HB 604 - Epileptic drivers licensing, (House committee substitute 5/23). Postponed to 5/31.

HB 739 - Public school cosmetic courses. Reported favorably.

HB 903 - Motor vehicle inspections. Postponed to 5/25.

HB 908 - Liens on personal property. Amendments adopted including debtor entrusted with property by secured party as owner for purposes of act (in original, entrusted by secured party "entitled to possession"), providing that purchaser for value without "constructive" notice of defect acquires title over lienor, and making clarifying change. Passed second and third readings.

HB 912 - Wide load farm equipment. Reported favorably.

HB 916 - Hospital non-profit corp. Reported favorably.

HB 924 - Charity solicitation reports. Postponed indefinitely.

HB 931 - Livestock markets revision. Reported favorably as amended.

HB 1003 - Four-year superintendents. Reported favorably.

HB 1084 - Beer-wine sales to wholesalers. Reported favorably.

LOCAL BILLS

SB 435 - (Robeson) City school annexation vote. Received from Senate; sent to Education.

SB 487 - (Robeson) City school annexation vote II. Received from Senate; sent to Education.

HB 664 - (Rutherford) Water and sewerage liens. Reported favorably as to committee substitute. Committee substitute adopted providing that unpaid water and sewerage charges shall not become lien against property unless incurred by owner of property (no such distinction made in original), and authorizing town commissioners to levy assessment upon property now or hereafter connected to any sewage disposal or treatment facilities owned or constructed by town to finance construction and operation of sewage disposal or treatment facilities, to apply uniformly within reasonable classifications to all properties now or hereafter connected to such facilities, with higher assessments permitted for property developed for commercial, industrial, or institutional uses or purposes than for those established for private residential use and to base assessments for residential property or hotel or motel property upon number of dwelling units served or to be served by such facility (new).

HB 862 - (Lincoln) Commissioner compensation, (House committee substitute, 5/23). Passed.

HB 1059 - (Burke)Extraterritorial zoning. Passed.

HB 1089 - (Durham) Misdemeanor punishment. Passed.

UNNUMBERED HOUSE RESOLUTIONS

HR [A] - LRC movie evidence study. Failed to pass.

HR [C] - Voting age study. Failed to pass.

Next session of House: 12 noon -- Thursday, May 25, 1967.

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BULLETIN NO. 77

Thursday, May 25, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 545 - Introduced by Griffin

"To amend G.S. 153-9 by adding thereto a new subsection to authorize boards of county commissioners to levy a special tax for the special purpose of acquiring, constructing, renovating and furnishing courthouses and jails." [Adds new G.S. 153-9(8a) providing as title indicates; confers special approval of General Assembly for such tax.] To Finance.

SB 546 - Introduced by Griffin and Boger

"To exempt from state income tax benefits from firemen's retirement and pension funds." [Adds new G.S. 105-141(b)(12) providing as title indicates, provided benefits would have been exempt under either G.S. 143-166 or 128-31 (relating to Law Enforcement Officers' Benefit and Retirement Fund, and N.C. Local Governmental Employees' Retirement Fund, respectively). Eff. 1/1/67.] To Finance.

SB 548 - Introduced by Henley

"To add Article 26 on child care to Chapter 130 on (sic) the General Statutes relating to Public Health." [Identical with committee substitute for HB 280, digested in calendar section of Bulletin No. 72, page 705 (May 18). HB 280 was digested in Bulletin No. 28, page 209 (March 17).] To Public Welfare.

SB 549 - Introduced by Ellis and Boger

"To eliminate the requirement of next friends and guardians ad litem in domestic relations cases by minors." [Adds new G.S. 1-65.1 to dispense with requirement of next friends or guardians ad litem for infants who are competent to marry in suits for absolute divorce, divorce from bed and board, alimony pendente lite, permanent alimony with or without divorce, and child support or custody actions.] To Judiciary 2.

SB 550 - Introduced by Gentry

"To amend G.S. 106-557 and 106-562 so as to reduce from sixty days to thirty days the notice required to hold referendums for self assessments for the promotion of agricultural products." [As title indicates.] To Agriculture.

SB 551 - Introduced by Moore

"To amend G.S. 20-75 pertaining to motor vehicle registration." [Amends G.S. 20-75, relating to registration of vehicles transferred to licensed dealers, to make section applicable to licensed insurance companies taking vehicles for sale or disposal for salvage purposes where title taken as part of claim settlement transaction and for purpose of resale.] To Insurance.

LOCAL BILLS INTRODUCED -- SENATE

SB 547 - (Union) Introduced by Griffin and Boger
"To authorize the City of Monroe to convey real estate to the County of Union." [As title indicates. Authorizes conveyance with or without consideration at public or private sale of any city-owned real estate for purpose of constructing governmental buildings.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 175 - Drilling and boring records. Amended to require corporation test drilling or boring upon public land owned or controlled by State to file record of results with directors of Dept. of Conservation and Development and Dept. of Administration (originally, with Chairman of State Highway Comm'n); provides that after exploratory drilling and boring has been completed, and lease or contract executed for operation, production, or development of area, results of tests incidental to operation are not to be subject to provisions of act unless provided in lease or contract. Postponed to 5/31.

SB 239 - Freely chosen podiatrists. Amended to add to GS 57-1 that "medical services plan" also includes contracting for payment of fees or furnishing professional medical services authorized by GS Ch. 90 and makes technical changes (Originally, amended GS 57-1 to include pediatrists among those whose services must be freely chosen under "medical service plans.") Passed second and third readings.

SB 254 - Employee political activity. Amendment adopted clarifying applicability of act to State employees and temporary employees and substituting "personal preferential treatment" for "reward" in section prohibiting officials' promises of reward or threat of loss to encourage or coerce support of political activity. Passed second and third readings.

SB 292 - Omnibus court amendments, as amended in Senate 5/22. Passed third reading.

SB 386 - ABC tax prohibition. Technical amendment adopted. Passed second reading; placed on calendar for 5/31.

SB 406 - Water Safety Committee, as amended in Senate 5/16. Re-referred with four unadopted floor amendments to Wildlife.

SB 407 - Charity solicitation reports, as amended in House 5/23. Received for concurrence in House amendment. Concurred.

SB 416 - Private school driver training, (Senate committee substitute adopted 5/22.) Passed third reading.

SB 471 - Registers corporate filing. Reported favorably.

SB 527 - Plant pest inspection. Reported favorably as amended.

HR 333 - Motorcycle safety gear, (House committee substitute 4/18). Reported favorably as to committee substitute. Committee substitute adopted identical with House committee substitute with following exceptions: (1) deletes requirement of protective eye shields on cycles not equipped with windscreen; (2) adds proviso that requirements of safety helmets and passenger limits shall not apply to streets within city limits.

HB 349 - Registering instruments, (House committee substitute 4/20). Reported favorably as amended.

HB 467 - Veterans Comm'n & Scholarship, as amended in House 5/12. Reported favorably as amended. Re-referred to appropriations.

HB 554 - Drainage dist. petitions. Reported favorably.

HB 557 - School consolidations. Reported favorably.

HB 609 - Interfamilial actions in State. Reported favorably.

HB 717 - Pistol hunting rabbit, squirrel. Withdrawn from Local Government; re-referred to Wildlife.
HB 775 - 11th Dist. ct. reporter pay. Reported favorably.
HB 900 - Agricultural research vote. Reported favorably.
HB 908 - Liens on personal property, (House committee substitute 5/24). Received from House; referred to Judiciary 1.
HB 920 - Amber wrecker lights. Reported favorably as amended.
HB 950 - Sanitary district regulations. Reported favorably.
HB 951 - Agreements on extension units. Reported favorably.
HB 976 - Sweet wine manufacture. Passed third reading.

LOCAL BILLS

SB 277 - (Yancey, Madison) Rabbit and squirrel hunting. Withdrawn from Local Government; re-referred to Wildlife.
SB 522 - (Nash) County list takers. Passed.
SB 526 - (Haywood) Canton ABC vote. Floor amendment adopted giving ABC law enforcement officers appointed by Town of Canton county-wide jurisdiction, and same powers and authority within county as other peace officers. Passed.

HB 665 - (Moore) Robbins ABC vote. Passed.
HB 716 - (Mecklenburg) County zoning changes. Passed.
HB 718 - (Gaston) Dallas ABC vote. Passed.
HB 727 - (Columbus) Whiteville Charter revision, as amended in Senate 5/18. Postponed to 6/1.
HB 818 - (Duplin) Wallace tort claims. Passed.
HB 862 - (Lincoln) Commissioner compensation, (House committee substitute 5/23). Received from House; sent to Salaries and Fees.
HB 1010 - (Richmond) School consolidation #2. Reported favorably. Passed second and third readings.
HB 1059 - (Burke) Extraterritorial zoning. Received from House; sent to Counties, Cities and Towns.
HB 1089 - (Durham) Misdemeanor punishment. Received from House; sent to Judiciary 1.

The following unnumbered Senate Resolution was introduced and passed.
"A resolution challenging the House pages to a softball game, May 26, by the Senate pages." [As title indicates.]

BILLS RATIFIED

SB 116 - Withdrawing criminal appeals. [Ch. 601]

HB 53 - Cross burning penalty, as amended in Senate 5/5, (Conf. report 5/24). [Ch. 602]
HB 864 - (Lincoln) Lincolnton ABC election, as amended in House 5/18. [Ch. 603]
HB 999 - (Dare) Register's fees. [Ch. 604]

Next session of Senate: 10:00 a.m., Friday, May 26, 1967.

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BULLETIN NO. 77

Thursday, May 25, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1121 - Introduced by Staton

"Reimbursing the State for medical and disability expenses for National Guardsmen." [Amends GS Ch. 127 (Militia) by adding new GS 127-82.1 providing right to compensation and other benefits under GS 127-82 not to be affected by fact that injury or death caused under circumstances creating a liability in person other than State to pay damages ("third party"). Provides that guardsman, or if dead, personal representative, to have exclusive right to enforce liability of third party by proper proceedings if instituted within 12 months after date of injury or death; during such period (or anytime thereafter if summons issued against third party during period) guardsman or personal representative to have right to settle with third party and to release all claims to third party. Gives State all rights of guardsman against third party upon expiration of 12 month period if settlement not made and summons not issued within period; such rights to remain with State until 60 days before expiration of period fixed by statute of limitations and if State does not settle or institute proceedings within such time all rights to revert to guardsman 60 days prior to expiration of applicable statute of limitations. Gives person vested with right to sue or settle exclusive right to make settlement with third party and to acquit and discharge third party except as provided in act. Proceedings instituted by representative to be brought in name of guardsman or personal representative and State not to be necessary or proper party, but if guardsman or personal representative will not cooperate with State by being party plaintiff, action to be brought in name of State with guardsman made party plaintiff or defendant by court order. Provides that amount of compensation paid on account of injury not to be admissible in evidence in any proceeding against third party, and that third party entitled to have issue of joint or concurrent negligence of State submitted to jury if third party defendant sufficiently alleges actionable negligence of State. Sets out rules of evidence to govern proceedings. Provides that if State is found liable jointly or concurrently with third party, court to reduce damages against third party by amount of State's subrogation rights, with entire recovery after such reduction to belong to guardsman free of claim by State, with third party having no further right of contribution against State except rights by reason or prior indemnity contract. Sets out priority of disbursement of amount obtained by settlement, judgment or otherwise from third party. Provides that attorney fee paid by guardsman and State to be in direct proportion to amount each to receive under disbursement priority. Gives every party to claim for compensation in any proceeding against or settlement with third party, lien to extent of interest on any payment by third party. Provides that neither guardsman or personal representative nor State to settle with third party without written consent of other, with no release to third party, to be valid or enforceable for any purpose unless both State and guardsman or personal representative join therein, but not to apply if State made whole for all benefits paid or to be paid by him less attorney's fees and release to third party is executed by guardsman. Provides that institution of proceedings against or settlement with third party not to affect any other remedy which any party to claim may have except as otherwise provided in GS Ch. 127, and exercise of one remedy not to constitute an election of remedies. Effective July 1, 1967.] To Finance.

HB 1126 - Introduced by Ervin

"To amend G.S. 14-278 and G.S. 14-279 relating to injury of property of railroads." [Rewrites G.S. 14-278 to make a felony an unlawful and wilfull injury or interference with railroad tracks or roadbed with intent to cause injury or damage to any person or property travelling on railroad (now, "wilfully and

maliciously"). Prescribes punishment of not less than four months nor more than ten years, or fine, or both. (Now, section prescribes various punishments depending on stated circumstances, including death penalty if person is killed in the course of stopping or displacing engine or car.) Rewrites G.S. 14-279 to make a misdemeanor any act made unlawful by G.S. 14-278 but committed without intent to cause injury or damage to person or property (now, section reads "but without malice", and contains special punishment provisions under stated circumstances.)] To Judiciary 1.

HB 1127 - Introduced by Ervin

"To rewrite G.S. 14-127, relating to wilful injury to real property." [Revises G.S. 14-127 to make misdemeanor, punishable by fine, imprisonment, or both in discretion of court, wilful and wanton (now, malicious) damage to real property. Deletes exeptions of existing statute relating to damage under mistake or in connection with hunting or fishing, and special provisions for punishment under stated circumstances.] To Judiciary 1.

HB 1128 - Introduced by Ervin

"To amend G.S. 33-31 relating to sales of property belonging to minors and incompetents by others than a guardian, validating sales conducted by guardians ad litem, commissioners of the court, or next friends where the same have been regular in all other respects and said sales were made prior to March 30, 1966." [Amends G.S. 33-31 to validate sales of property belonging to minors or incompetents prior to March 30, 1966, where sale not made by duly appointed guardian as required by law but regular in all other respects.] To Judiciary 1.

HB 1133 - Introduced by Harkins and Greenwood

"To amend Article 2 of Chapter 139 of the North Carolina General Statutes concerning procedures for collection and payment of watershed improvement district assessments." [Revises GS 139-27 generally, to make watershed improvement district assessments collectible and payable at the times and in the manner provided by law for ad valorem property taxes, in place of the present special dates and procedures set out in section, making following specific changes: (1) Makes assessments and interest payable, and discounts allowable, in amounts and at times provided by law for collection of ad valorem property taxes (now, assessments and installments due on first Monday in August, and interest due at 1/3 of 1% per month, per illustrative table). (2) Makes appropriate changes in designation of months for various actions involving assessments throughout section (e.g., changing July to September for mailing of assessment receipts, and changing due dates from August to October). (3) Deletes illustrative table for interest payments, and changes references throughout section to interest amounts and dates. (4) Deletes provision that failure to pay annual installment with interest when due gives cause for enforcing immediate payment of all remaining installments plus accrued interest.] To Water Resources and Control.

HB 1135 - Introduced by Falls

"Appropriating funds to the North Carolina Department of Agriculture to improve the marketability of and increase the income from cotton produced in North Carolina." [Appropriates $5,000 for each of fiscal years 67-68 and 68-69 as title indicates. Effective July 1, 1967. Identical with HB 984 digested in Bulletin No. 69 at p. 659.] To Appropriations.

HB 1136 - Introduced by Taylor of Carteret

"To amend G.S. 113-156 of the General Statutes of North Carolina to add a wholesale fish dealers license." [Adds G.S. 113-156(f) to require annual license, fee $100, of wholesale fish dealers from Board of Commercial & Sports Fisheries. Allows credit towards license of license purchased as required by G.S. 113-156(e).

Directs funds to be paid into General Fund. Authorizes Dept. of C & D to request information from Dept. of Rev. as to fish dealers whose sales are wholly or partially exempt from sales tax, and authorizes Dept. of Rev. to furnish such information notwithstanding G.S. 105-259; requires information so obtained to be kept confidential except in prosecutions for violation of this act.] To Finance.

HB 1137 - Introduced by Taylor of Carteret

"Providing for the lease of State owned bottoms for oyster and clam cultivation." [Re-enacts GS 113-202 (granting of leases of ocean bottoms for use as oyster and clam beds by Board of Conservation and Development), which was repealed by HB 111 of this session, with provisions similar to repealed section, with following changes: Deletes references to termination of leases granted before enactment of present law and recovery of damages for such termination, and deletes provision that lessee may continue in possession during procedural delay on timely application for lease renewal and that $10 filing fee must be paid with such application. Provides that application for renewal leases need not be accompanied by bottom survey (now, survey required with all applications), that Commissioner of Department is authorized to amend, with approval of lessee, existing leases by reducing area under lease or by combining existing contiguous leases, that rental for all leases entered into before July 1, 1965, and for all other leases until April 1 following 1st anniversary of lease, is $1 per acre (now, $1 per acre only for all leases until noon on April following 1st anniversary of lease) that termination of lease for failure to continuingly utilize it for the commercial production of oysters or clams shall not occur if lessee has made diligent effort to effectively and efficiently manage his lease according to accepted standards and practices in such management and because of reasons beyond his control (now, no such excuse recognized in law), and that Commissioner may decline to renew at end of current term oyster or clam bottom lease executed prior to Jan. 1, 1966 for failure of lessee to make diligent effort to produce oysters and clams in commercial quantities. Lessee may appeal such denial to Board, where he shall be granted opportunity to be heard de novo with burden of proof (greater weight of evidence) on him. Board may affirm or reverse by majority vote with no appeal from its decision. Act not to apply to Brunswick County.] To Commercial Fisheries and Oyster Industries.

HB 1140 - Introduced by Vaughn

"To amend GS 115-190.1 relating to school bus transportation within an area included by the consolidation of municipalities." [Amends cited section by providing that school bus transportation not to be discontinued by State or local agency for sole reason that two or more municipalities consolidate and corporate limits of new, consolidated municipality includes such area. (Now, school bus transportation not to be discontinued for sole reason that corporate limits of municipality have been extended to include such area since February 6, 1957.)] To Education.

HB 1141 - Introduced by Gunn and Ramsey of Person

"To appropriate a sum of money as a grant-in-aid to the Person-Caswell Lake Authority." [Appropriates $75,000 from General Fund as title indicates. Lists capital improvements needed to insure orderly development and potential of lands, including $16,000 for lake manager's residence, $27,400 for toilets and septic tanks, and $40,000 for bathhouse and refreshment stand; notes that there is now available for such purposes matching federal funds on 50-50 basis. Effective July 1, 1967.] To Appropriations.

HB 1142 - Introduced by Mills of Onslow and others

"To amend G.S. 113-203 so as to provide for the establishment of natural seed oyster areas." [Amends GS 113-203 (transplanting oysters and clams) by adding new subsection providing that it is lawful to transplant to private beds oysters taken from public beds designated by Board of Conservation and Development as "Natural Seed Oyster Areas". Sets out manner by which areas to be so designated

including filing of petition with Commissioner by board of county commissioners of county in which area is located requesting designation and describing area, investigation of area by Commissioner, and issuance of permits to all qualified individuals to transplant seed oysters from said designated areas.] To Commercial Fisheries and Oyster Industries.

HB 1143 - Introduced by Mills of Onslow

"To repeal Section 1 of Article X of the Constitution of North Carolina relative to the personal property exemption, and to amend G.S. 1-362 relative to the garnishment of wages." [Repeals cited section of Constitution (exempting personal property to $500 value from sale under execution or other final process of court for collection of debt) and provides for submission of that repeal to qualified voters at next general election with form of ballot provided. If majority of voters favor repeal Governor shall certify it to Secretary of State for enrollment. Amends cited section of General Statutes (sale of debtor's property to satisfy judgment) to provide that, on application to CSC and satisfactory proof, 75% of wages of debtor who is head of a household (not over $150 or less than $50) shall be exempt, and non-Household-head shall be entitled to 50% of that exemption (now, exemption is for earnings of debtor for 60 days preceding order of court, if shown that those earnings necessary for support of family supported by his labor. GS amendment to become effective only on certification of Constitutional amendment by Governor following its approval by voters.] To Constitutional Amendments.

HB 1144 - Introduced by Ramsey of Person

"To prohibit the transaction of insurance business through the use of credit card facilities, including the solicitation, negotiation or payment of premiums on policies of insurance." [Amends GS Ch. 58 (Insurance) by adding new GS 58-64.2 providing that no authorized insurer and representative of such insurer to employ facilities of any person engaged in credit card business to solicit or negotiate any contract of insurance upon any life or risk within State or accept payment of premiums upon such policy through use of any credit card facility. Prohibits those engaged in extending credit through credit card system to utilize credit card facilities to solicit for or negotiate insurance contracts or accept payment of premiums from (prospective) credit card holders who reside in State. Provides that solicitation for and negotiation of insurance policies prohibited by section to include transmittal of applications for insurance, premium rate schedules, circulars, letters or sales literature pertaining to insurance to credit card holders or prospective credit card holders residing in State.] To Insurance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1122 - (Wayne) Introduced by Chase

"To provide for the nomination and election of the members of the Board of Education of Wayne County." [Continues terms of office of incumbents until successors elected and qualified under this act, and retains membership of board at five. Provides for at-large partisan nomination and election of board members for staggered 6-year terms according to schedule: one in 1968, two in 1970, two in 1972. Prescribes filing procedures and $5.00 filing fee. Directs vacancies in office to be filled by executive committee of political party of member causing vacancy until next primary and general election for county officers, when successor shall be elected for unexpired term. Provides that chairman be elected by board, and constitutes superintendent of schools ex officio secretary of board.] To Education.

HB 1123 - (Wayne) Introduced by Chase

"To amend G.S. 162-175, relating to the method of marking ballots in municipal elections in the Town of Eureka in Wayne County." [Adds Eureka to anti-single-shot voting section of G.S. 163-175(6).] To Judiciary 1.

HB 1124 - (Wayne) Introduced by Chase
"To amend the Charter of the Town of Eureka in Wayne County for the purpose of providing compensation for the members of the board of commissioners of said town." [Amends Eureka charter (Priv. Laws 1879, Ch.90,as amended) to fix commissioners annual salary at $30 and mayor's annual salary at $120, each to be paid in installments in discretion of the board. Effective July 1, 1967.] To Judiciary 1.

HB 1125 - (Wilson) Introduced by Paschall
"To provide for a referendum on the question of whether or not the members of the board of education of the Elm City School District shall be elected by vote of the people and to provide for an election of the members of said board of education if such method is approved." [Directs submission to voters in Elm City School District at 1968 primary question whether board of education should be elected by the people. If proposition passes, provides for nonpartisan 9-member board elected at large for 6-year terms, according to schedule: three elected in 1968 general election; three in 1970 and three in 1972. Prescribes filing procedures and $5 filing fee. Provides vacancies to be filled by the board.] To Education.

HB 1129 - (Halifax) Introduced by Gregory
"To authorize the Town of Enfield to sell and convey certain real estate at private sale." [Authorizes Enfield to convey two tracts described by courses and distances (originally, purchased for well fields) at private sale for industrial development for not less than $750 per acre.] To Local Government.

HB 1130 - (Halifax) Introduced by Gregory
"To authorize the Town of Enfield to convey certain real estate to Enfield Volunteer Fire Department, Inc." [Authorizes Enfield to convey tract described by metes and bounds, originally, conveyed to town by volunteer fire department for use as community center, back to fire dept. at private sale for $5,000.] To Local Government.

HB 1131 - (Robeson) Introduced by McMillan and Britt
"To amend Chapter 82, Private Laws of 1901, the same being the charter of the Town of Fairmont, Robeson County, so as to reinstate primary elections." [Repeals SL 1965, c. 172, sec. 1, and re-enacts Priv. Laws 1919, c. 1949, to re-instate municipal primary elections.] To Judiciary 1.

HB 1132 - (Robeson) Introduced by McMillan and Britt
"Increasing the maximum punishment for public drunkenness in Robeson County." [Amends G.S. 14-335(16) to add Robeson to subsection prescribing public drunkenness punishment as follows: 1st offense, $50/30 days; 2nd offense within 12 mos., $100/60 days; 3rd offense within 12 mos., misdemeanor punishable in discretion of court.] To Judiciary 2.

HB 1134 - (Buncombe) Introduced by Greenwood, Harkins and Jordan
"To authorize the Board of County Commissioners of Buncombe County to call a special or general election to authorize the levy of an additional supplemental tax not to exceed forty cents on each one hundred dollars valuation of taxable property in Buncombe County to provide for the construction, maintenance, support and operation of the public schools of the City of Asheville and County of Buncombe." [Authorizes Buncombe Comm'rs to call special school tax election on or before June 1, 1968, on question of county-wide 40¢ maximum supplementary school tax. Prescribes the following special features: (1) county-wide vote to include Asheville city unit; (2) special registration ordered, election to be conducted by county board of elections, board of elections may create special precincts for this election alone, no other question may be submitted at the election; (3) tax levy authorized county-wide if question receives county-wide majority; if county-wide majority not obtained, tax levy authorized in any school district where majority of those voting favored the question; (4) if levy authorized in county or any district, proceeds of first years'

tax may be used for capital improvements only, in discretion of board of education; (5) if county-wide favorable vote obtained, tax proceeds to be apportioned between Asheville city unit and county board of education on basis of per capita enrollment as certified by State Board of Education; (6) provides that act shall not apply to Asheville city unit if city holds supplemental tax election prior to June 1, 1968.] To Judiciary 1.

HB 1138 - (Moore) Introduced by Auman

"To authorize the board of education of Moore County to sell certain land at private sale." [Authorizes conveyance of 49.16 acres of land in McNeill township to Mary Luman Meyer at private sale.] To Education.

HB 1139 - (Rockingham) Introduced by Vaughn

"To authorize an election on the question of consolidation of the Town of Draper, the City of Leaksville, the Town of Spray, and the Meadow Greens Sanitary District as a single municipality. [Directs holding of referendum on Sept. 12, 1967, on consolidation of Draper, Leaksville, Spray, and Meadow Greens Sanitary District into new city, subject to following conditions: (1) election to be conducted by county board of elections throughout area described in act by metes and bounds; no new registration required; (2) referendum also to be held on three to five proposed names for new city; (3) if a favorable vote is obtained in Draper and remainder of area, act becomes effective 9/13/67 for area described in act; (4) if favorable vote obtained in area outside Draper and unfavorable vote in Draper, act becomes effective 9/13/67 for reduced area described in act not including Draper; (5) if unfavorable vote obtained outside Draper, act not to take effect regardless of result in Draper. Provides for organization of new city and transfer of power and responsibility from former towns as follows: (1) provides for assumption of all outstanding debts of each existing town and sanitary district by new city, and also other transitional matters; (2) governing board of new city until initial election to be composed of all mayors and governing board members of existing units, each member to have one vote; (3) new city to be governed by 7-member council elected by wards for 4-year terms; wards to be defined by council; mayor to be elected for 2-year term by and from council; compensation of mayor and council to be fixed by council subject to certain restrictions; vacancies in council to be filled by council for unexpired term; (4) provides generally for organization and powers of new city. Act not to affect Eden Metropolitan Sewerage District.] To Courts and Judicial Districts.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 69 - Congress Dist. Mills-Griffin, (Senate committee substitute 5/9). Received from Senate; sent to Congressional Districts.

SB 219 - Noncourthouse comm'r meetings, as amended in Senate 4/26. Floor amendment adopted providing that GS 153-8 be amended so that in lieu of meeting at courthouse, boards of county commissioners may by resolution duly adopted, designate any other public place within county as site of regular meetings, with such resolution to be published at least once following adoption, in a newspaper of general circulation in county and qualified to publish legal advertisements or if no newspaper available then in newspaper having general circulation in county, and also by posting copy on courthouse bulletin board with special meetings to be held at site designated for regular meetings. (Senate amendment provided that meetings may be held at any place in county other than courthouse provided at least seven days public notice of meeting and location be given as amendment required.) Passed third reading.

SB 328 - 4th Dist. Ct. Reporter pay. Reported favorably.

SB 380 - Motor vehicle inspections. Postponed to 5/30.

SB 443 - Migratory waterfowl. Received from Senate; sent to Wildlife Resources.

HB 171 - Offspring car tort recovery. Reported favorably.
HB 205 - Loose leaf registration. Passed second and third readings.
HB 320 - Unsecured bail bonds II. Reported favorably as amended.
HB 409 - Certifying absentee ballots. Passed second and third readings.
HB 421 - National Guard auto plates, (House committee substitute 5/24). Floor amendment adopted providing that members of NC National Guard be furnished with one license plate. (Committee substitute provides for "a set".) Passed second reading.
HB 515 - Taxing trade-in sales. Reported unfavorably.
HB 537 - Phone harassment. Reported favorably as amended.
HB 593 - Optional 1% sales tax. Reported unfavorably with minority report. Failed to adopt minority report.
HB 739 - Public school cosmetic courses. Floor amendment adopted providing that in any public school in which course in cosmetic art now being offered, such course may be continued until State Board of Education determines there is no need for such course. (Original, provides that such course to be continued until students enrolled therein at time of passage of act have completed course.) Passed second reading.
HB 750 - State highway firearm prohib. Reported favorably as amended.
HB 907 - After acquired title. Reported favorably as amended.
HB 912 - Wide load farm equipment. Passed second and third readings.
HB 930 - Auto license tax payment. Reported favorably.
HB 937 - Drink-drugged driving punishment. Reported favorably as to committee substitute; committee substitute adopted including suspension or revocation of driver license as penalty for first offense of driving under influence (in original, only revocation mentioned), deleting restriction of limited operation of vehicle during revocation or suspension to uses where "necessary to prevent loss of employment," and requiring that such suspended or revoked license by immediately forwarded to DMV which shall issue such person a restricted license setting forth the limitee period of operation, for fee of $5.
HB 957 - Lumber hauling weight leeway. Reported unfavorably.
HB 1003 - Four year superintendents. Postponed to 5/29.
HB 1016 - Dying declarations. Reported favorably.
HR 1026 - (Joint Resolution) Public school study commission. Reported favorably as amended; re-referred to Appropriations.
HB 1038 - County aid to retarded. Reported favorably.
HB 1045 - School bus tort claims. Reported favorably; re-referred to Appropriations.
HB 1063 - Teacher sick pay. Reported unfavorably.
HB 1075 - Co. school supt. qualifications. Reported unfavorably.
HB 1083 - Unauthorized insurers. Reported favorably.
HB 1091 - General Assembly pay. Reported favorably.
HB 1098 - Workable windshield wipers. Reported favorably.
HB 1102 - Preliminary hearing fees. Reported favorably.
HB 1103 - Indigent juvenile counsel. Reported favorably as amended.
HB 1107 - Seafood marketing funds. Reported favorably; re-referred to Appropriations.
HB 1108 - Garbage redefined. Reported favorably.
HB 1111 - State highway claims. Reported favorably.
HB 1116 - Agricultural land tax. This bill was digested in yesterday's bulletin at page 748 under the designation HB 1117.
HR 1117 - (Joint Resolution) County doctor study. This resolution was digested in yesterday's bulletin at page 748 under the designation HR 1116.

LOCAL BILLS

SB 329 - (Brunswick, New Hanover) Land from ocean. Reported favorably as amended.
SB 354 - (Alamance) Burlington airport sale. Passed.

SB 363 - (Stanly) Albemarle firemen pension. Passed.
SB 448 - (Halifax) School board terms. Passed.
SB 455 - (Haywood) Waynesville ABC elections. Passed.
SB 504 - (Lee) Sanford ABC supervisor salary. Received from Senate; sent to Counties, Cities and Towns.
HB 585 - (Anson) Wadesboro commissioners' pay. Amendment adopted setting monthly compensation for Wadesboro Board of Commissioners at not more than $50. (Original, not more than $100.) Passed.
HB 731 - (Henderson) Additional employees. Passed.
HB 760 - (Pitt) Grimesland board comp. Passed.
HB 761 - (New Hanover) Wilmington planning. Passed.
HB 831 - (Richmond) Officials salary increases. Amendment adopted rewriting act providing that annual salaries of clerk of superior court to be increased 10% effective July 1, 1967, of register of deeds to be increased 10% on July 1, 1967 with additional 10% increase July 1, 1968, of sheriff including compensation for his services in connection with county jail to be increased ten per centum on July 1, 1967 with additional 10% increase on July 1, 1968, of chairman of board of county commissioners to $1,800, of judge and solicitor of Recorder's Court of Hamlet District and judge and solicitor of Richmond County Special Court to be increased in discretion of board of county commissioners. (Original bill provided that annual salaries of chairman and members of board of county commissioners, clerk of superior court, sheriff and register of deeds to be increased 10%.)
HB 832 - (Richmond, Rockingham) Retirement plan. Passed.
HB 888 - (Wake, Durham) R-D airport land transfers. Reported favorably as to committee substitute; committee substitute adopted providing that for purpose of aiding Raleigh-Durham Airport Authority in financing improvements at Airport, Wake and Durham Counties authorized to issue bonds pursuant to County Finance Act as provided in GS 153-77 as if such bonds were to be issued to finance improvements at an airport owned and operated by such county. Provides that proceeds of sale of such bonds to be expended by county issuing such bonds or by R-D Airport Authority as determined by board of commissioners of county issuing bonds. Makes provision that representation of municipality on board not to be changed or affected in event either Wake or Durham Counties, or both, issue bonds for purpose of aiding R-D Airport Authority in financing improvements at Airport. (Original provided that power of two counties to issue bonds for airport purposes granted in GS 153-77(12) to include Airport and Airport Authority established by act as amended with bonds if issued to be issued in conformity with County Fiscal Control Act. Provided that if funds derived from issuance of bonds were contributed to maintenance and development of R-D Airport contributions from such sources not to change representation on said Board.)
HB 977 - (Columbus) Chadbourn mayor-comm'rs pay. Passed.
HB 1006 - (Wilson) School board appointment. Passed.
HB 1039 - (Craven) School board appointee. Reported unfavorably.
HB 1095 - (Pamlico) School board land transfer. Passed.
HB 1099 - (Brunswick) CPORA funds. Passed.

Next session of House: 9:30 a.m., Friday, May 26, 1967.
9:00 a.m., Saturday, May 27, 1967, for consideration of local bills only.

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DAILY BULLETIN

P. O. Box 7293 State Legislative Building Telephone 755-2838

BULLETIN NO. 78

Friday, May 26, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 552 - Introduced by Alford

"To prohibit the transaction of insurance business through the use of credit card facilities, including the solicitation, negotiation or payment of premiums on policies of insurance." [Identical with HB 1144, digested in Bulletin No. 77, page 760 (May 25, 1967).] To Insurance.

SB 553 - Introduced by Alford

"Rewriting G.S. 14-214 relating to false and fraudlent statements to procure benefits under insurance policies so as to procure benefits under insurance policies so as to clearly designate prohibited acts as constituting a felony, and to repeal G.S. 14-112.1." [Amends GS 14-214 to make clarifying changes and to make violation of its provisions (as indicated in title) a felony punishable by imprisonment not over five years or fine not over $5,000 or both, in discretion of court (now, not designated as felony and punishable by imprisonment not over five years or fine not over $500 or both in discretion of court). Repeals GS 14-112.1 (creating similar crime punishable as misdemeanor by $100 - $500 fine and/or 30 days - one year imprisonment).] To Insurance.

SB 555 - Introduced by Maxwell and others

"To create a State Department of Correction and to prescribe its powers and duties; to provide for the transfer to said Department of powers and duties vested in the State Prison Department; to abolish the State Prison Department, the State Prison Commission, and the Office of Director of Prisons; to revise General Statutes relating to prisoner classification, allowances, health services, treatment programs, facilities, indeterminate sentences, records; and to consolidate and revise General Statutes relating to youthful offenders." [Amends GS Ch. 148 Art. 1 creating State Department of Correction with all powers and duties vested in State Prison Department transferred to said Department. Abolishes State Prison Department, State Prison Commission and office of Director of Prisons and provides for governing authorities of new Department to include a Commission of Correction and a Commissioner of Correction. Provides that Commission be composed of seven members appointed by Governor who shall designate one to serve as chairman; persons serving on State Prison Commission when act becomes effective to serve as members of Commission of Correction for duration of their present terms on Prison Commission. Sets out subsequent terms of new Commission's members and provides for per diem and necessary traveling expenses for Commission members; members employed by State not to receive per diem but to receive regular salary without deduction for loss of time while on Commission business. Provides for executive head of State Department of Correction to be a "Commissioner of Correction" appointed by Commission with approval of Governor; Director of Prisons at effective date of act to

serve as Commissioner of Correction for duration of present term; Commission authorized to remove Commissioner from office with consent of Governor. Sets out duties of Commissioner to include, but not be limited to, appointment, promotion, discipline etc., of Department personnel. (Now, Art. 1 pertains to administration of State Prison Department by Director of Prisons setting forth creation of Prison Department, office of Director of Prisons and their respective powers and duties.)

Rewrites GS 148-12 providing for establishment of new diagnostic and classification centers to make social medical, and psychological studies of persons committed to Department. Provides that diagnostic center may at request of sentencing court make presentence diagnostic studies of persons convicted before court for sentencing and subject to committment to Department; persons received in center to be held for not more than 60 days unless court grants extension not to exceed 30 days. Total time spent in center not to exceed 90 days or maximum term of imprisonment authorized if maximum less than 90 days, with time so spent to be credited to any sentence of committment. Makes copy of centers report available to defense counsel prior to pronouncement of sentence with defendant given opportunity to controvert contents of report. Carries forward provisions of present section as to classification of felons. (now, provides simply for initial classification and periodic reclassification of prisoners, and for classification and conduct records to be kept on all prisoners in system.) Rewrites GS 148-18 providing that prisoners may be compensated at rates fixed by Department for work performed and for attending training programs, with Prison Enterprises Fund to be source for such wages and allowances subject to Department regulations on forfeiture for poor work; prisoners required to contribute to support of dependents in State receiving public assistance during period of commitment if funds available to him are adequate for purpose, with dependency status and need to be determined by department of public welfare in county where dependents reside; Department to establish revolving fund from inmate welfare funds to be used for loans to prisoners and parolees. (Now, provides that upon discharge, parole or pardon of prisoner other than short term misdemeanants, prisoners be given small sum of money, transportation to place in State designated in parole or discharge papers and "sufficient" clothing.) Rewrites GS 148-19 providing that Department to prescribe health service standards for prisoners including preventive, diagnostic and therapeutic measures on both outpatient and hospital basis, for all types of patients. Authorizes Commissioner to make arrangements with Department of Mental Health or any other State agency in meeting health needs of prisoners; each prisoner committed to Department to receive physical and mental examination by competent physician promptly after admission and before being assigned to work with subsequent assignments to be made with regard to report as to prisoner's physical and mental condition. (Now, provides for such examination but does not specify that such examination be made before assigned to work.) Rewrites GS 148-22 setting forth treatment programs and services geared to provide for humane treatment of prisoners and to effect their correction and rapid return to community. Authorizes Department to cooperate with public and private agencies pursuant to these ends and to enter into agreements with other agencies of federal, state or local government and with private agencies to promote most effective use of available resources. (Now, provides generally that Director of Prisons arrange certain forms of prisoner recreation and to make necessary provisions for prisoners desiring to receive instruction.) Rewrites GS 148-24 providing that Department provide for religious services in all units of State prison system on Sunday and at other times as deemed appropriate. (Generally carries forward present provisions.) Rewrites GS 148-36 providing that Commissioner classify facilities of State prison system and develop programs to permit proper segregation and treatment of prisoners according to nature of offenses committed, character and mental condition of prisoner and other factors in providing an individualized system of discipline, care and correctional treatment of prisoners; Commissioner to designate places of confinement where sentences in system to be served, and may designate any available facility appropriate to individuals needs. (Now, provides that Director establish

grades for prisoners according to conduct, transfer prisoners from one district camp to another and where deemed practical Director authorized to establish separate camps for white and colored prisoners.) Rewrites GS 148-37 providing that Department establish, subject to GS 143-341(powers of Department of Administration), additional facilities under Department's supervision so that prisoners may be distributed throughout State to facilitate their individual treatment. Authorizes Department to purchase or lease sites and suitable land adjacent thereto or purchase or lease existing facilities within limits of allotments as approved by Budget Division of Department of Administration. Sets out powers of Commissioner to contract with specified individuals and agencies and nature and effects of such contracts. (Now, authorizes Department to establish such additional camps as are necessary so that work by prisoners may be so distributed throughout State as to render their employment most economical and profitable.) Rewrites GS 148-42 authorizing superior court judges in sentencing prisoners to commit prisoner to custody of Commissioner for maximum and minimum term; after prisoner has served minimum term, less time off for good behavior, Commissioner authorized to discharge person unconditionally or release him from confinement under prescribed conditions; conditions of release may be modified or conditional release revoked by Commissioner at any time but total time served in confinement and on conditional release not to exceed maximum term for which person sentenced. (Now, authorizes superior court judges in their discretion in sentencing prisoners for a term in excess of twelve months to provide for minimum and maximum sentence with Director authorized to consider at least once every six months cases of persons committed with indeterminate sentences and to authorize discharge at any time after service of minimum term subject to time earned for good behaviour.)

Rewrites GS Ch. 148, Art. 3A (dealing with youthful offender camps) setting out purpose of article in GS 148-49.1 to improve chances of correction, rehabilitation and successful return to community of youthful offenders by minimizing association with older, more experienced criminals. GS 148-49.2 defines "youthful offender" as person under 21 at time of conviction and "committed youthful offender" as one committed to custody of Commissioner under Art. 3A or who is inmate of State prison system segregated as a youthful offender on August 1, 1967 or so sentenced prior to August 1, 1967. GS 148-49.3 provides for presentence diagnostic study with Department to report to court its findings within 60 days from date of court order requesting study. GS 148-49.4 spells out procedures for sentencing youthful offenders and GS 148-49.5 spells out detailed classification studies to be conducted on every committed youthful offender. GS 148-49.6 provides that upon receipt of report and recommendations from diagnostic and classification center Commissioner may (1) recommend to Paroles Board that youthful offender be released conditionally under supervision or (2) order that he be confined and afforded treatment under conditions believed to best protect public. GS 148-49.7 provides for treatment of youthful offenders with Commissioner to provide if possible personnel specially qualified to operate such facilities. Authorizes State Department of Mental Health to establish modern facilities where youthful offenders committed to custody of Commissioner may be sent for treatment, training, etc., under rules jointly adopted by Departments of Mental Health and Corrections. Provides that committed youthful offenders may be required to participate in vocational, educational and correctional training and activities, with appropriate use of other methods of treatment including medical and psychiatric. GS 148-49.8 specifies conditions under which youthful offenders may be released. Provides that Board of Paroles may after reasonable notice to Commissioner release conditionally under supervision such offenders on or before expiration of four years from date of youthful offender's commitment but that such offender may be discharged unconditionally before expiration of maximum term imposed. GS 148-49.9 provides that committed youthful offenders conditionally released to be under supervision of agents and employees of Board of Paroles with Board authorized to encourage formation of voluntary organizations composed of members who serve without compensation as voluntary agents and sponsors. Provides further that at any time prior to unconditional discharge Board may direct offender's return to custody if Board feels he will benefit by further treatment in facility for committed youthful offenders. GS 148-64 seeks cooperation of prison and parole officials and employees

to promote purposes of Art. 3A.

Amends GS Ch. 148, Art. 7 (dealing with Consolidated Records Section of Prison Department) by rewriting GS 148-74 specifying nature and purpose of combined records section with case records and related materials compiled for use of Commissioner and Board of Paroles to be maintained in single central file system designed to minimize duplication. GS 148-76 sets out duties of Records Section and GS 148-77 provides for establishment in Department of organizational units responsible for statistics, research and planning to facilitate regular improvement in structure, administration and programs of Department. Substitutes "State Department of Correction" or "Department of Correction" for "State Prison Department" or "Prison Department" in sections of General Statutes where terms appear. Substitutes "Commission of Correction" for "State Prison Commission" or "Prison Commission" when terms appear in GS 148-2 and GS 148-11 and any other GS sections except as provided in act. Substitutes "Commissioner of Correction" or "Commissioner" for "Director of Prisons" or "Director" in sections of General Statutes where terms appear. Substitutes "State Department of Correction" for "State Highway Commission" in GS 15-6.1. Repeals all of GS Ch. 15, Art. 21 (dealing with segregation of youthful offenders). Effective August 1, 1967. Identical with HB 1155.] To Judiciary 1.

SB 556 - Introduced by Currie and Hancock

"To give the consent of the State of North Carolina to the cession of concurrent jurisdiction to the United States over land which is to constitute the site of the psychiatric hospital of the Federal Bureau of Prisons at Butner, North Carolina." [Declares cession to US for all purposes of concurrent jurisdiction over lands acquired by US as site of psychiatric hospital in Granville and Durham counties; cession not to affect service on such site of civil and criminal process of State courts and to continue no longer than ownership of lands by US. Refers to land so affected as 769.88 acres in stated counties as described in deed between NC and US recorded in Book 308, page 431 and Book 164, page 23 of Registers of Deeds of Durham and Granville counties, respectively.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

SB 554 - (Davidson) Introduced by Allen and Gilmore

"To provide for the nomination and election of the members of the Board of Education of Davidson County." [Provides that cited school board to consist of five members elected in nonpartisan election for 4-year terms beginning on first Monday in December following election, with present members to hold office until terms expire. Three members shall be elected for 4-year terms at regular county primary in 1968 and two more at primary of 1970, with election biennially thereafter to select successors. Separate ballot shall be used and distributed to all voters desiring to vote regardless of political affiliation. Three candidates receiving highest number of votes to be elected when three vacancies, and two receiving highest number of votes when two vacancies; no election necessary when number of candidates not greater than number of vacancies to be filled. Vacancies to be filled by county executive committee of party of member causing vacancy, for unexpired term] To Election Laws and Legislative Representation.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 219 - Noncourthouse comm'r meetings, as amended in Senate 4/26 and House 5/25. Received for concurrence in House amendment. Concurred.

SR 451 - (Joint Resolution) Barring insurer's advertising. Postponed to 5/29.

SB 454 - Veto power. Reported unfavorably.

SB 471 - Registers corporate filing. Passed second and third readings.
SB 473 - Health Ins. Advisory Board. Postponed indefinitely.
SB 475 - Insurance service charge. Passed second and third readings.
SR 506 - (Joint Resolution) Designating Flag Day. Passed second and third readings.
SB 527 - Plant pest inspection. Amended to specify that vehicles transporting "seed" as well as "plants" and"plant products" may be stopped for inspection. Passed second and third readings.

HB 205 - Loose leaf registration. Received from House; sent to Elections and Legislative Representation.
HB 333 - Motorcycle safety gear, (House committee substitute 4/18), (Senate committee substitute 5/25). Passed second and third readings.
HB 349 - Registering instruments. Passed second and third readings.
HB 409 - Certifying absentee ballots. Received from House; sent to Elections and Legislative Representation.
HB 421 - National Guard auto plates, (House committee substitute 5/24), as amended in House 5/25. Received from House; sent to Public Roads.
HB 471 - Senate and House districts. Reported favorably.
HB 512 - Adoption of blood relatives. Passed second and third readings.
HB 554 - Drainage dist. petitions. Passed second and third readings.
HB 557 - School consolidations. Passed second reading.
HB 609 - Interfamilial actions in State. Postponed to 5/31.
HB 632 - Mortgage guaranty insurance. Passed second and third readings.
HB 775 - 11th Dist. ct. reporter pay. Passed second and third readings.
HB 900 - Agricultural research vote. Passed second and third readings.
HB 912 - Wide load farm equipment. Received from House; sent to Public Roads.
HB 920 - Amber wrecker lights. Amended to change effective date from July 1, 1967 to Jan. 1, 1968. Passed second and third readings.
HB 935 - Dependent child definition. Postponed to 5/30.
HB 950 - Sanitary district regulations. Passed second and third readings.
HB 951 - Agreements on extension units. Passed second and third readings.
HB 1014 - Health Insurance Advisory Board. Passed second and third readings.

LOCAL BILLS

SB 500 - (Durham) Redefining corporate limits. Passed.
SB 523 - (Henderson) County library tax. Passed.
HB 551 - (Rutherford) Criminal jurisdiction. Passed.
HB 559 - (Surry) JP fees. Passed.
HB 585 - (Anson) Wadesboro commissioners' pay. Received from House; sent to Salaries and Fees.
HB 605 - (Iredell) Watershed tax. Passed.
HB 731 - (Henderson) Additional employees. Received from House; sent to Counties, Cities and Towns.
HB 760 - (Pitt) Grimesland board comp. Received from House; sent to Salaries and Fees.
HB 761 - (New Hanover) Wilmington planning. Received from House; sent to Counties, Cities and Towns.
HB 774 - (Carteret) School board election. Passed.
HB 778 - (Beaufort) Police association. Passed.
HB 805 - (Carteret) Beaufort town limits. Postponed to 5/31.
HB 827 - (New Hanover) School pension withdrawal. Passed.
HB 831 - (Richmond) Officials salary increases, as amended in House 5/25. Received from House; sent to Salaries and Fees.
HB 832 - (Richmond) Rockingham retirement plan. Received from House; sent to Salaries and Fees.
HB 855 - (Lee) Sanford charter revision, as amended in House 5/15. Passed.
HB 877 - (Wayne) Goldsboro charter revision. Passed.

HB 886 - (Onslow) School board election. Passed.
HB 977 - (Columbus) Chadbourn mayor-comm'rs pay. Received from House; sent to Salaries and Fees.
HB 979 - (Dare) Register's fees. Passed.
HB 1006 - (Wilson) School board appointment. Received from House; sent to Education.
HB 1095 - (Pamlico) School board land transfer. Received from House; sent to Education.
HB 1099 - (Brunswick) CPORA funds. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 354 - (Alamance) Burlington airport sale. [Ch. 605]
SB 363 - (Stanly) Albemarle firemen pension. [Ch. 606]
SB 407 - Charity solicitation reports, as amended in House 5/23. [Ch. 607]
SB 448 - (Halifax) School board terms. [Ch. 608]
SB 455 - (Haywood) Waynesville ABC election [Ch. 609]
HB 665 - (Moore) Robbins ABC vote. [Ch. 610]
HB 716 - (Mecklenburg) County zoning changes. [Ch. 611]
HB 718 - (Gaston) Dallas ABC vote. [Ch. 612]
HB 818 - (Duplin) Wallace tort claims. [Ch. 613]
HB 976 - Sweet wine manufacture. [Ch. 614]
HB 999 - (Harnett) ABC store election. Ratified 5/25. [Ch. 604]
HB 1010 - (Richmond) School consolidation #2. [Ch. 615]

Next session of Senate: 9:00 a.m., Saturday, May 27, 1967 for consideration of local bills only.

8:00 p.m., Monday, May 29, 1967.

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BULLETIN NO. 78

Friday, May 26, 1967

Session: House -- 9:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1145 - Introduced by Mills of Anson
"To amend G.S. 153-9 by adding thereto a new subsection to authorize board of county commissioners to levy a special tax for the special purpose of acquiring, constructing, renovating and furnishing courthouses and jails." [Identical with SB 545 digested in yesterday's Bulletin No. 77 at pg. 753.] To Finance.

HB 1146 - Introduced by Johnson of Wake
"To amend Sections 153-80, 153-82 and 160-382 of the General Statutes, concerning the period of estimated life of airport improvements and the averaging of the periods of life of bonds." [Amends GS 153-80 and GS 160-382 to set the maximum maturity period of county or city bonds for land, including grading and drainage, buildings, equipment and other improvements for airports or land fields at 30 years (now, 40-years for land for airports or landing field, including grading and drainage, and 10-years for buildings, equipment and other improvements for airports or landing fields, other than grading and drainage.). Adds to GS 153-82 provision that if bonds authorized by a single order of county governing body, under GS 153-78, one for improvements with different estimated periods of life under provisions of GS 153-80, such bonds shall mature within average of such periods, taking into consideration amount of bonds estimated to be required for each improvement, and that determinations of such periods shall be inclusive. Effective on ratification and specifically made applicable to bonds authorized but not issued on effective date.] To Finance.

HB 1147 - Introduced by Bailey and Harkins
"To amend Chapter 163 of the General Statutes of North Carolina so as to require that all voters sign a poll book at time of voting." [Adds to GS 163-150(f) (apparently referring to section of proposed election law codification of HB 146 concerning maintenance of poll book or other record of voting) provisions that each voter shall sign poll book next to judge's entry of voter's name (in nonloose-leaf registration counties), and that voter, prior to voting, shall sign in a book or on form supplied by County Board of Election and approved by State Board of Elections, to be part of loose-leaf registration system (in other counties).. To Elections and Election Laws.

HB 1148 - Introduced by Bailey
"To amend G.S. 47-115.1, relating to the appointment of an attorney in fact, so as to provide for the commissions to be paid such attorney in fact in the event the principal becomes incompetent." [Adds new subsection (k) to cited section (creation of power of attorney) providing that if power of attorney contains no amount of commission for attorney in fact or method of determination of amount, and principal becomes incompetent, CSC shall fix commissions per GS 28-170 (commissions for certain representatives of fiduciaries).] To Judiciary 2.

HB 1149 - Introduced by High
"To amend G.S. 20-75 pertaining to motor vehicle registration." [Amends cited section (exempting auto dealers from usual vehicle registration requirements) to also exempt a licensed insurance company taking vehicle for sale or disposal for salvage where title taken as part of bone fide settlement and only for resale.] To Judiciary 1.

HB 1152 - Introduced by Stewart

"To amend Chapter 48 of the General Statutes to provide for the adoption of persons who are more than 21 years of age." [Adds GS 48-36 to authorize any person 21 years of age or two such persons lawfully married to each other to petition CSC for adoption of any other person 21 or more years of age (adoptee) who file with clerk written consent to adoption. Petitioner and adoptee must have resided in NC or on Federal territory therein for six months immediately preceding petition. Petition shall be filed in county where adoptee resides, and posted (along with consent statement) at court house door continuously for 10 days prior to order of adoption, which CSC may issue for good cause shown. Upon entry of order, rights and duties of adoptive parents and adoptee shall be same as if adoption had been completed under other provisions of GS Ch. 48 and as if adoption had taken place before adoptee became 21. Adoption under act shall not relieve any person of duty to support another or of any criminal liability for failure to provide support for any person. Effective July 1, 1967.] To Judiciary

HB 1153 - Introduced by Penny

"Relating to privilege license tax upon operators of children's riding devices." [Effective July 1, 1967, amends GS 105-39(a) (license tax on carnivals a riding devices) to provide license tax by State of $5/week, and to permit license tax by counties, cities, and towns of $2.50/week, on riding devices designed solely for children of 12 or younger and not part of a carnival (now, tax on all riding devices not part of carnivals is $10/week by State and permitted to be $5/week by counties, cities and towns). Permits exhibitor of such devices to operate one refreshment stand in connection with them, with State license tax on such stand to be $7.50/week, and license tax by counties, cities and towns permitted to be $3.75/week (now, operation of any other "show, game, stand or other attraction whatsoever"is prohibited).] To Finance.

HB 1154 - Introduced by Ramsey of Person

"Rewriting GS 14-214 relating to false and fraudulent statements to procure benefits under insurance policies so as to clearly designate prohibited acts as constituting a felony, and to repeal G.S. 14-112.1." [Identical with SB 553, digested in the Senate section of today's bulletin.] To Insurance.

HB 1155 - Introduced by Ramsey of Person and others

"To create a State Department of Correction and to prescribe its powers and duties; to provide for the transfer to said department of powers and duties vested in the State Prison Department; to abolish the State Prison Department, the State Prison Commission, and the office of Director of Prisons; to revise General Statutes relating to prisoner classification, allowances, health services, treatment programs, facilities, indeterminate sentences, records; and to consolidate and revise General Statutes relating to youthful offenders." [Identical with SB 555, digested in the Senate section of today's bulletin.] To State Government.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1150 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson Hunter and Jones

"To amend Chapter 208 of the Public-Local Laws of 1933 relating to costs in the County Recorder's Court of Mecklenburg County." [Amends cited act to raise from $1 to $5 the fee which a party adjudged guilty in trail of criminal action in county recorder's court shall pay for issuance of warrant of arrest, including affidavit.] To Courts and Judicial Districts.

HB 1151 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones

"To amend Chapter 713 of the Session Laws of 1965, being the Charter of the City of Charlotte in Mecklenburg County, relating to warrant for arrest costs in the Recorder's Court." [Amends cited act to raise from $2.50 to $6.50 the cost of arrest or service of warrant in recorder's court and from $13 to $17 the total of costs in that court.] To Counties, Cities and Towns.

HB 1156 - (Wake) Introduced by Twiggs, Bunn, Johnson and McMillan.

"To amend Section 18 of the Session Laws of North Carolina, 1949, as amended) relating to granting of franchises." [Rewrites SL 1949, Ch. 1184, Sec. 18 to provide that no franchise initially granted to any public utility regulated by NC Public Utilities Commission shall be effective until approved by majority of qualified voters casting ballot in general or special election on question. Renewal of any franchise granted regulated utility or grant of franchise to entity not regulated by commission may be granted in discretion of city council without vote of people but shall be subject to referendum under SL 1949, Ch. 1184, Sec. 24 upon petition signed by 5% of registered voters at last regular municipal election and upon meeting other requirements. In all elections upon grant of franchises applicant shall deposit with city treasurer a sum determined by city council as sufficient to defray expenses of election. Every franchise shall provide by forfeiture or otherwise, for compelling compliance with terms of grant and to secure efficient service, reasonable rates, and maintenance of utility property. City shall retain power to expressly reserve all rights and duties pertaining to its police powers. All proposed grants of franchise by city shall be in form of ordinance which shall include provisions for fixing rates and charges, if grant provides for such tolls. Act shall not effect any rights previously lawfully granted by city; any rights now or hereafter granted in streets, sidewalks or other public grounds in city shall, except as prohibited by statute, be subject to tax by city in amount set by its governing body in addition to any other taxes and license fees.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 239 - Freely chosen podiatrists, as amended in Senate 5/25. Received from Senate; sent to Health.
SB 254 - Employee political activity, as amended in Senate 5/25. Received from Senate; sent to State Personnel.
SB 292 - Omnibus court amendments, as amended in Senate 5/22. Received from Senate; sent to Courts and Judicial Districts.
SB 416 - Private school driver training. Received from Senate; sent to Education.
SB 457 - Sanitary district advances. Reported favorably.

HB 171 - Offspring car tort recovery. Postponed to 5/30.
HB 320 - Unsecured bail bonds II. Postponed to 5/30.
HB 324 - 10¢ Alcoholic rehabilitation. Reported unfavorably.
HB 334 - 10¢ Alcoholic rehab. II. Reported favorably as to committee substitute; committee substitute adopted adding authorization for county or municipal ABC board, in expenditure of proceeds to enter into contracts with any other county or municipal ABC boards to establish and carry out joint programs. Provides that in event county or municipal ABC board determines it not practicable to use its proceeds for such purposes, board to deposit proceeds with State Treasurer, to be paid by Treasurer to Department of Mental Health for programs of education, research, treatment and rehabilitation of alcoholics and for construction and operation of facilities at State and local level.
HB 344 - Town car tag rates. Reported unfavorably.
HB 537 - Phone harassment. Amendments adopted to : (1) add knowing false statements over the telephone concerning "injury" or "illness" of a person telephoned or member of household or family to statements covered by act; and (2) provide that violation of act shall be misdemeanor subject to fine or imprisonment, or both, in discretion of court (originally, misdemeanor punishable by fine of not more than $500 and imprisonment for six months). Passed second and third readings.
HB 540 - Discharge of microfilm deeds. Reported favorably.
HB 560 - Mental hospital accounts. Reported favorably as amended.
HB 561 - Mental hospital lien. Reported favorably as amended.
HB 562 - Mental hospital death lien. Reported favorably.
HB 648 - Omnibus court amendments. Reported favorably as amended.
HB 739 - Public school cosmetic courses, as amended in House 5/25. Tabled.
HB 750 - State highway firearm prohib. Amendment adopted to specify that place where discharge of firearms prohibited by act is "the traveled portion or shoulder of" any road maintained or supported in whole or part by State Highway Commission. Amendment deletes provision of act for confiscation of firearms used in violation of act by person convicted. Rereferred to Wildlife Resources.
HB 907 - After acquired title. Passed second and third readings.
HB 916 - Hospital non-profit corp. Passed second and third readings.
HB 918 - Numbered legislative seats. Reported favorably.
HB 930 - Auto license tax payment. Floor amendment adopted providing that application must be made by February 1st during license renewal period for partial payment of license tax provisions of GS 20-94 to be available to motor vehicle owners whose gross license fees exceed $200 but are less than $400 (original act made provisions of statute relating to owners whose gross license fees exceed $400 applicable without change to those whose fees exceed $200). Passed second and third readings.
HB 931 - Livestock markets revision. Amendments adopted making following changes: (1) Deletes exemption from procedures of GS 106-409 of cattle moved to NC Department of Agriculture approved feed lot. (2) Provides that

"buying stations" required by act to permit removal of animals for purposes other than immediate slaughter only upon written permit of State Veterinarian shall not include buying stations operated by feed lot operators buying animals for movement to their own feed lots. (3) Prohibits transportation on State public highways of cattle, swine, or livestock with visible symptoms (original bill reads "affected with or with visible symptoms") of a contagious or infectious disease except upon written permission of Commissioner of Agriculture. (4) Adds provision requiring original seller to pay test costs for animal which shows a reation to test for brucellosis and that such animal shall be automatically "no-saled" and resold for immediate slaughter. Passed second reading. Postponed to 5/31.

HB 969 - Small watershed changes. Reported favorably as to committee substitute; committee substitute adopted making technical and clarifying changes; exempting interests in land owned by public utilities from interests which may be condemned by local watershed program sponsors; adding municipalities to local agencies defined as "local watershed sponsors" for purposes of bill section 9 (Recreational and related aspects of watershed improvement programs); eliminating requirement that local sponsors determine that fish and wildlife habitat will be damaged by a proposed project as a condition of providing areas for habitat replacement and conservation; and re-enacting the disclaimer of intent to change or modify existing riparian rights etc. contained in GS 139-8(12).

HB 972 - Agency reports to UNC branches. Reported favorably.

HB1025 - Local gov't funds investment. Reported favorably as amended.

HB1027 - Real estate valuation. Reported unfavorably.

HB1032 - Reports to Asheville-Biltmore. Reported favorably.

HB1061 - Municipal bond retirement. Reported favorably.

HB1062 - Municipal fidelity bonds. Reported favorably.

LOCAL BILLS

SB 205 - (Rockingham) ABC officers jurisdiction. Passed.

SB 350 - (Edgecombe) Tarboro elections. Reported favorably; passed.

SB 522 - (Nash) County list takers. Received from Senate; sent to Counties, Cities and Towns.

SB 526 - (Haywood) Canton ABC vote, as amended in Senate 5/25. Received from Senate; sent to Propositions and Grievances.

HB 664 - (Rutherford) Water and sewerage liens. Passed third reading.

HB1072 - (Pender) Jurors fees. Floor amendment adopted providing that Pender Superior Court jurors to receive fee of $5-$10 per day, to be set by commissioners (in original, fee of $10). Passed.

HB1093 - (Nash) Court reporters. Re-referred to Courts and Judicial Districts.

HB1114 - (Wake) Fuquay retirement. Passed.

HB1115 - (New Hanover) Recorder court solicitor. Passed.

Next sessions of House: 9:00 a.m., Saturday, May 27, 1967 for consideration of local bills only.
8:00 p.m., Monday, May 29, 1967.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 79

Monday, May 29, 1967

Note: The Senate convened at 9:00 a.m., Saturday, May 27, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 557 - Introduced by Bailey and others

"To provide for additional resident judges in the twelfth, eighteenth, nineteenth, twenty-sixth and twenty-eighth, judicial districts." [Effective January 1, 1967, creates office of additional resident judge of twelfth, nineteenth and twenty-eighth judicial districts, and second additional resident judgeship of eighteenth and twenty-sixth judicial districts. Provides that present resident judges of 12th, 19th and 28th districts to be senior resident judges of their districts; additional resident judges of 12th, 18th, 19th, 26th, and 28th districts to have equal jurisidiction, authority and status with senior resident judges of those districts, but all constitutional and statutory duties prescribed for resident judges (including appointment to and removal from office) which are not related to cases, controversies or judicial proceedings, are to be discharged by resident judge of district senior in point of continuous service on superior court (if equal in seniority, by judge senior in age). Provides that Governor to appoint additional resident judges to take office July 1, 1967; successors to be chosen as provided by law for other resident superior court judges at general election of 1968 to serve for unexpired portion of 8-yr. term commencing January 1, 1967.] To Courts and Judicial Districts.

SB 559 - Introduced by Burney

"To amend Chapter 76 of the General Statutes, relating to navigation." [Amends GS 76-4 (appointment and regulation of pilots' apprentices) by raising from fifteen feet to twenty-five feet the draught of vessels for purpose of requirement that no apprentice to be required to serve for a longer period than three years in order to obtain a license to pilot vessels not exceeding that draught or to serve more than one year thereafter for a license to pilot vessels of more than that draught. Amends GS 76-5(1) by raising from eighteen to twenty-five feet the limitation on vessels' draughts for purposes of first class pilots' licenses.] To Judiciary 2.

SB 560 - Introduced by McLendon

"To amend GS 95-17, relating to limitation of hours of employment." [Amends GS 95-17 (limitation on hours of employment) to make proviso (which provides that limitation on daily and weekly hours and number of days in any period of fourteen consecutive days not to apply to any male employee eighteen years of age and over whose employment is covered by or in compliance with the Fair Labor Standards Acts of 1938) applicable to "employees" (both male and female).] To Manufacturing, Labor and Commerce.

SB 561 - Introduced by Bailey and others
"To provide for an additional five per cent salary increase for the fiscal year 1968-69 for State employees subject to the State Personnel Act." Identical with HB 1164, digested in the House section of today's bulletin.] To Appropriations.

SR 562 - (Joint Resolution) Introduced by Coggins and others
"Creating a commission to study the laws relative to banking, lending, leasing, factoring and the financial operations conducted in North Carolina, whether or not the same are now under the supervision of a state agency, board or commission." [As title indicates, creates eight member Study Comm'n on Banks and Banking; President of Senate to appoint four members from 1967 Senate designating one as chairman, and Speaker of House to appoint four from 1967 House designating one as vice-chairman; not more than two persons appointed in either house to be bankers or officials of any banking institution. Vacancies to be filled by presiding officer of house of member causing vacancy. Comm'n to elect secretary and authorized if approved by Advisory Budget Comm'n, to employ clerical and other assistance necessary to perform duties; members to be paid per diem, reimbursement, subsistence, and other expenses incurred in performance of duties at rate paid state boards generally from Contingency and Emergency Fund. Comm'n to have access to all offices, books and records of State agencies, commissions, departments and units, and empowered through chairman to administer oaths, subpoena and compel attendance of witnesses. Comm'n to report and make recommendations to Governor and General Assembly on or before Jan. 15, 1969.] To Banking.

LOCAL BILLS INTRODUCED -- SENATE

SB 558 - (Henderson) Introduced by Buchanan
"To amend Chapter 341, Session Laws of 1967, relating to liquor stores in the City of Hendersonville." [Amends SL 1967, Ch. 341 (SB 325) by adding proviso that no member of present ABC Board to be eligible for reappointment for a period of four years.] Passed three readings and sent to House.

SENATE CALENDAR ACTION

PUBLIC BILLS

SR 451 - (Joint Resolution) Barring insurer's advertising. Passed second reading; postponed to 5/31.
SB 480 - Liquor-by-drink control #II. Postponed to 6/7.

HB 471 - Senate & House districts. Passed second and third readings.
HB 537 - Phone harassment, as amended in House 5/26. Received from House; sent to Judiciary 2.
HB 557 - School consolidations. Passed third reading.
HB 717 - Pistol hunting rabbit, squirrel. Withdrawn from Wildlife; rereferred to Local Government.
HB 907 - After acquired title. Received from House; sent to Judiciary 2.
HB 916 - Hospital non-profit corp. Received from House; sent to Judiciary 1.
HB 930 - Auto license tax payment, as amended in House 5/26. Received from House; sent to Public Roads.
HB 951 - Agreements on extension units. Passed third reading.

LOCAL BILLS

SB 277 - (Yancey, Madison) Rabbit and squirrel hunting. Withdrawn from Wildlife; re-referred to Local Government.
SB 541 - (Henderson) School tax levy vote. Floor amendment adopted changing from 90 days to two years maximum time after enactment of bill Henderson board of elections given to call election in county school unit on question of supplemental school tax. Passed third reading.
SB 547 - (Union) Monroe land conveyance. Passed.
SB 558 - (Henderson) Amending SB 325. Withdrawn from Propositions and Grievances and placed on calendar. Passed second and third readings.

HB 556 - (Franklin, Warren) Fox hunting. Passed.
HB 640 - (Avery, Mitchell, and Watauga) Trespassing posted lands. Passed.
HB 664 - (Rutherford) Water and sewerage liens, (House committee substitute 5/24). Received from House; sent to Counties, Cities and Towns.
HB 693 - (Madison) Jury commission pay. Passed.
HB 766 - (Burke) Consolidating school units, as amended in House 5/19. Passed third reading.
HB 773 - (Carteret) Regulation of noise, as amended in House 5/10. Passed.
HB 835 - (Carteret) Nontax reserve fund. Passed.
HB 836 - (Carteret) Necessary expense reserve fund. Passed.
HB 1072 - (Pender) Jurors fees, as amended in House 5/26. Received from House; sent to Courts and Judicial Districts.
HB 1114 - (Wake) Fuquay retirement. Received from House; sent to Counties, Cities and Towns.
HB 1115 - (New Hanover) Recorder court solicitor. Received from House; sent to Courts and Judicial Districts.

Next session of Senate: 12 noon, Tuesday, May 30, 1967.

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BULLETIN NO. 79
Monday, May 29, 1967

Note: The House convened at 9:00 a.m., Saturday, May 27, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1157 - Introduced by Johnson of Wake and others
"To provide for an additional five per cent salary increase for the fiscal year 1968-69 for State employees subject to the State Personnel Act." [Effective July 1, 1968 appropriates $6,767,300 from General Fund and $4,166,600 from Highway Fund for fiscal year 1968-69 to provide additional 5% salary increase for full-time State employees subject to State Personnel Act, including retirement and social security expenses. Authorizes Budget Director to transfer from such appropriations sums required to increase salaries in effect June 30, 1968 under established salary scale, based on salaries then in effect; increases may be rounded to next highest even dollar. Increases to apply to salaries paid from special funds or non-tax sources if funds made available from operations or from sponsoring agents; salaries paid partially from General Fund to be increased from General Fund appropriation only proportionately; increases to salaries paid from self-supporting activities to be contingent on availability of funds out of receipts, as determined by Budget Director. Increases not to affect eligibility for automatic and/or merit increments. Salary ranges for employees under Personnel Act to be increased by amount equal to this legislative salary increase, so that after the increase every employee to continue to have same relative position with respect to salary increases and future increments. Increase not to apply to persons separated from service by resignation, dismissal, reduction in force, death or retirement, whose last work day is prior to July 1, 1968.] To Appropriations.

HB 1158 - Introduced by Strickland
"Relating to deeds and other conveyances executed by married women, without their private examination, since January 1, 1930." [Provides that no deed, contract, conveyance, leasehold or other instrument executed since Jan. 1, 1930, shall be declared invalid because of failure to take private examination of any married woman who was party to such instrument; validates such instruments executed by married women without private examination.] To Judiciary 1.

HB 1159 - Introduced by Beatty
"To amend Article V, Section 5, of the Constitution of North Carolina to grant an exemption of five thousand dollars ($5,000.00) from ad valorem taxation upon the residence of persons of the age of sixty-five years and older." [Amends NC Const. Art. V, Sec. 5, by adding provision exempting from ad valorem tax the first $5,000 of appraised value of principal residences of persons 65 or older; if such residence owned by entireties by spouses, exemption to be allowed when either spouse 65 or older. Amendment to be submitted to voters at next general election; form of ballot set out; if majority of votes cast favor amendment, Governor to certify same to Sec'y of State for enrollment among permanent records. Amendment effective upon certification. Amends GS 105-296 (relating to real property exemptions generally) by adding provision exempting to extent of $5,000 real property of persons 65 or older if such person domiciled in NC and actually occupies property as sole home; if only portion of property is occupied as home, $5,000 exemption to apply only against portion of appraised value attributable to portion occupied as home. Act effective upon ratification to apply to tax years beginning after date of Governor's certification, except that portion of Act amending GS 105-296 not to become effective until amendment to NC Const. approved and certified.] To Constitutional Amendments.

HB 1161 - Introduced by Ingle

"To amend Section 14-317 of the General Statutes relating to permission of minors to enter bowling alleys." [Removes bowling alleys from application of GS 14-317 which forbids manager or owner of barroom wherein any alcoholic beverages are sold or consumed, or billiard room to knowingly allow minor to enter or remain on premises after being notified in writing by parents of minor of their objection under misdemeanor penalty of up to $50 or 30 days.] To Judiciary 1.

HB 1162 - Introduced by Ingle

"To amend Section 14-145 of the General Statutes relating to the unlawful posting of advertisements." [Makes GS 14-145 (unlawful posting of advertisements) applicable to political advertisements as well as business and commercial advertisements; thereby making it misdemeanor (up to $50 or 30 days) to post such advertisement on private property without written consent, or within limits of public highway.] To Judiciary 1.

HB 1163 - Introduced by Johnson of Wake

"To amend G.S. 20-83 pertaining to trip licenses at one-tenth annual rate." [Amends cited section (registration by nonresidents) by adding proviso that trip license permits may be issued only once during registration year for use of same vehicle.] To Roads.

HB 1164 - Introduced by Vaughn and others

"To provide for additional resident judges in the twelfth, eighteenth, nineteenth, twenty-sixth and twenty-eighth judicial districts." [Identical with SB 557, digested in the Senate section of today's bulletin.] To Courts and Judicial Districts.

HB 1166 - Introduced by Vaughn by request

"To exempt from the Public Utilities Act the regulation of mobile radiotelephone companies." [Amends GS 62-3(23) (a) (6) by exempting from the definition of public utility independent mobile radiotelephone companies of type franchised by the Federal Communications Commission as miscellaneous mobile radio common carriers. Effective January 1, 1968.] To Public Utilities.

HB 1167 - Introduced by Eagles and Jernigan

"To amend Chapter 54 of the General Statutes relating to building and loan, savings and loan associations and credit unions so as to authorize such institutions to form a mutual deposit guaranty association." [Adds new Art. 7A to GS Ch. 54 to authorize not less than ten "institutions" (building & loan associations, savings & loan associations or credit unions) to incorporate as a mutual deposit guaranty association without capital stock by filing articles of incorporation with Secretary of State; articles to be transmitted by Secretary to Comm'r of Insurance for review and certification as correct in form and substance; certification may be refused if Comm'r believes corporation to be formed for any business other than assuring liquidity of members and guaranteeing deposits, or character and fitness do not command public confidence, or best interests of public not served. Provides for recording of articles and amendments by Secretary of State, and procedure for amending articles. Empowers guaranty associations to assure liquidity of, and guaranty free shares or deposits in, member institutions; to lend money to members or buy assets of members to assure liquidity; to invest funds in enumerated classes of securities (Federal and State bonds, farm loan bonds, home loan bank bonds, securities acceptable to secure government deposits, and certificates of deposit in financial institutions subject to examination and supervision); to issue notes or debentures to members; and to borrow money. Provides for filing of semiannual reports with Comm'r, annual and special examinations by Comm'r (paid for by associations), and $5 semiannual fee to Comm'r to be paid into General Fund. Authorizes Comm'r or examiners to have access to and compel production of books, papers, securities, moneys and other property of associations, and to administer oaths and examine officers and agents on association affairs.] To Insurance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1160 - (Cleveland) Introduced by Falls
"Relating to the salaries of the members of the Board of Aldermen of the City of Shelby." [Provides for Shelby Aldermen to set their own compensation, but not in excess of $100 per month. Effective July 1, 1967.] To Local Government.

HB 1165 - (Lee) Introduced by Love and Staton
"To regulate the compensation of the members of the Board of Aldermen of the City of Sanford." [Sets compensation of Sanford Aldermen at $100 per month (now, $75) paid from Sanford general fund. Effective July 1, 1967.] To Judiciary 2.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 239 - Freely chosen podiatrists, as amended in Senate 5/25. Withdrawn from Health; rereferred to Insurance.
SB 457 - Sanitary district advances. Passed second reading.
SB 471 - Registers corporate filing. Received from Senate; sent to Corporations.
SB 475 - Insurance service charge. Received from Senate; sent to Insurance.
SR 506 - (Joint Resolution) Designating Flag Day. Received from Senate; sent to State Government.
SB 527 - Plant pest inspection. Received from Senate; sent to Agriculture.

HB 333 - Motorcycle safety gear (House committee substitute 4/18), (Senate committee substitute 5/25). Received for concurrence in Senate amendment; placed on calendar for 5/30.
HB 334 - 10¢ Alcoholic rehab. II, (House committee substitute 5/26). Passed second reading.
HB 349 - Registering instruments, (House committee substitute 4/20). Received for concurrence in Senate amendment; concurred.
HB 540 - Discharge of microfilm deeds. Passed second and third readings.
HB 560 - Mental hospital accounts. Amendment adopted adding default of obligor in compromise amount or any installment thereof to causes for which full monthly charge to accrue on patients account. Passed second and third readings.
HB 561 - Mental hospital lien. Amendment adopted adding all institutions listed in GS 143-117 (Murdoch School, O'Berry School, Caswell School at Kinston, Stonewall Jackson Training School for Boys at Concord, State Home and Industrial School for Girls at Samarcand, East Carolina Training School at Rocky Mount, Morrison Training School for Negro Boys in Richmond County, School for the Deaf at Morganton, North Carolina Sanitorium for the Treatment of Tuberculosis at Sanitorium,Broughton, Cherry, Dix, and Umstead Hospitals) as those at which general lien may be created on real and personal property of persons receiving (or who have received) care and maintenance to extent of total amount of unpaid balance shown on certified statement of account for charges from and after July 1, 1967. (Original bill applied only to last four listed institutions.) Postponed to 5/30.
HB 562 - Mental hospital death lien. Postponed to 5/30.
HB 648 - Omnibus court amendments. Postponed to 5/30.
HB 920 - Amber wrecker lights, as amended in Senate 5/26. Received for concurrence in Senate amendment; concurred.
HB 969 - Small watershed changes, (House committee substitute 5/26). Passed second reading.
HB 1061 - Municipal bond retirement. Passed second reading.

LOCAL BILLS

SB 435 - (Robeson) City school annexation vote. Passed third reading.
SB 487 - (Robeson) City school annexation vote II. Passed third reading.
SB 500 - (Durham) Redefining corporate limits. Received from Senate; sent to Judiciary 2.
SB 523 - (Henderson) County library tax. Received from Senate; sent to Local Government.

HB 564 - (Swain) Loose-leaf registration. Postponed indefinitely.
HB 888 - (Wake, Durham) R-D Airport land transfers, (House committee substitute 5/25). Passed third reading.
HB 1123 - (Wayne) Eureka single-shot voting. Passed.
HB 1124 - (Wayne) Eureka comm'rs pay. Passed.
HB 1134 - (Buncombe) School tax election. Clarifying amendment adopted to specify that elections authorized by act shall be on "an additional" supplemental school tax. Passed second reading.

Next session of House: 11:30 a.m., Tuesday, May 30, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 80

Tuesday, May 30, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 563 - Introduced by Henley and others

"To provide for regional universities and the establishment of the first such university, East Carolina University." [Adds new Art. 1A to GS Ch. 116 authorizing creation of regional universities that may: (1) prepare teachers, supervisors, and administrators in NC public schools, including preparation for masters's degree; (2) offer liberal arts and sciences preparation including master's; (3) conduct other programs approved by Board of Higher Education; and (4) if authorized, it may participate in sixth-year program for public school administrators. Each regional university to have board of trustees, president, and endowment fund as provided in GS 116-46 for senior colleges; and be subject to GS 116-46.2 (Purchase of annuity or retirement income contracts for faculty members, officers and employees). Upon designation of regional university, trustees and officers of institution to continue in office for remainder of term. Effective July 1, 1967 East Carolina College redesignated "East Carolina University". Authorizes board of trustees of any senior college that has been granting bachelor's degrees for at least ten years to apply to Board of Higher Education to have their institution redesignated as regional university; Bd. to report findings to next regular session of General Assembly. On July 1, 1972 or as soon after as possible, Bd. of Higher Education and trustee boards of UNC and regional universities under organizational arrangements as prescribed by Governor, shall study effectiveness of regional universities, their role and status in the State system of public higher education, continuation of existing arrangements, establishment of single board of trustees for all regional universities, and conversion of one or more regional universities into campuses of UNC; report to be made to 1973 General Assembly.] To Higher Education.

SB 564 - Introduced by Kemp and others

"To exempt from taxation the real and personal property of airport authorities, airport board and airport commissions." [Adds new GS 105-296(13)and -297(14) exempting real and personal property owned by any airport authority, airport board or airport comm'n created as separate and independent corporate body from state taxation. Adds new GS 63-51.1 exempting property of airport authorities, boards, or comm'ns from taxes or fees imposed by State or any subdivision thereof on real and personal property; provides that for purposes of act that airport authorities, boards and comm'ns are municipal corporations and all their property deemed owned for public purpose. Effective Jan. 1, 1968.] To Finance.

SB 565 - Introduced by Kemp and others

"To amend G.S. 105-164.14(c) to allow sales tax refunds to airport authorities, airport boards and airport commissions." [Amends cited statute to add airport authorities, airport boards and airport comm'ns to those entitled to annual refunds from sales and use taxes paid under GS Ch. 105, Art. 5 (Sales and Use Tax); airports included must have been created by General Assembly or counties or municipalities pursuant to act. Effective July 1, 1967.] To Finance.

SB 566 - Introduced by Griffin

"To exempt municipalities from the provisions of Article 2 of Chapter 147 of the General Statutes." [Adds GS 147-9.1 exempting municipalities from provisions of GS Ch. 147, Art. 2 (Expenses of State officers and State dept.s) as to limits or restrictions on amount of automobile mileage allowance or expense or any other travel expense allowance or payment paid by municipality, board, comm'n or other agency of any municipality.] To Local Government.

SB 567 - Introduced by White of Lenoir

"To amend Chapter 1063, 1965 Session Laws." [Amends SL 1965, Ch. 1063 to increase appropriation for establishment and improvement of Alcoholic Rehabilitation Center at Butner, NC from $750,000 to $1,000,000. Effective July 1, 1967. Identical with HB 1186.] To Appropriations.

SB 568 - Introduced by Moore

"To determine and regulate the salaries of certain constitutional officers." [Provides that salaries of Council of State and Attorney General to be same as that fixed for Associate Judges of Court of Appeals. Effective July 1, 1967.] To Appropriations.

SB 569 - Introduced by Morgan

"To bestow recognition on members of the State Highway Patrol who distinguish themselves meritoriously in the performance of official duties." [Adds new GS 20-187.1 providing for appointment by Patrol Commander of awards committee serving one year terms consisting of one troop commander, one troop executive officer, one district sergeant, one corporal, two troopers, and one member of patrol headquarters staff to serve as secretary to committee and to vote only in case of ties. Provides for granting of following awards to state highway patrolmen: NCSHP Award for Valor, NCSHP Award of Merit, NCSHP Award for Distinguished Service. Sets out criteria for awards and organizational procedures for determining recipients. Appropriates from Highway Fund to Department of Motor Vehicles $8,000 to carry out Act.] To Judiciary 2.

SR 570 - (Joint Resolution) Introduced by Morgan

"Honoring Dr. Leslie Hartwell Campbell upon the occasion of his retirement as president of Campbell College." [As title indicates.] Passed three readings and sent to House.

SB 571 - Introduced by Alford

"Requiring persons, firms or corporations exempt from the Insurance Premium Financing Act to comply with the same provisions with respect to the cancellation of insurance policies through the use of a power of attorney as is now required of insurance premium finance companies." [Amends GS 58-56.1 (exempts certain persons and corporations from license requirements of GS Ch. 58, Art. 4, Insurance Premium Financing) to require person or corporation exempted to comply with GS 58-60 (sets out procedure for cancellation of insurance contract when insurance premium finance agreement contains power of attorney or other authority enabling company to cancel insurance contract) when power of attorney is exercised in connection with financing insurance premium. Effective July 1, 1967 and applicable to contracts entered then or thereafter.] To Insurance.

SB 572 - Introduced by MacLean
"To classify personal property in interstate commerce stored in public warehouses in North Carolina for ad valorem tax purposes." [Identical with HB 1171, digested in the House section of today's bulletin.] To Finance.

SB 573 - Introduced by McLendon and others
"To amend G.S. 20-279.21, as the same relates to uninsured motorist insurance, so as to require that endorsement of such insurance contains certain provisions." [Identical with HB 1172, digested in the House section of today's bulletin.] To Insurance.

LOCAL BILLS INTRODUCED -- SENATE

None

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 388 - Plates of uninsured revocation. Reported favorably.
SB 410 - Counsel fees, insurance suits. Reported favorably as amended.
SB 440 - Unclaimed clothing changes. Reported favorably.
SB 472 - Annual session amendment. Passed second reading; placed on calendar for May 31.
SB 530 - Humane slaughtering. Reported unfavorably.
SB 544 - Four-year superintendents. Reported favorably and placed on calendar. Passed second and third readings.
SB 550 - Agricultural notice. Reported favorably.
SR 570 - (Joint Resolution) Honoring Campbell. Passed second and third readings.

HB 146 - Election law codification, as amended in House 5/16 and 5/17. Reported favorably as amended.
HB 349 - Registering instruments, (House committee substitute, 4/20). Committee amendment adopted in Senate on Friday, May 26, providing that registration of instruments not effective with regard to parties who have not executed the instrument or whose execution has not been duly proved or acknowledged. (HB 349 passed second and third readings in Senate on Friday, May 26.)
HB 540 - Discharge of microfilm deeds. Received from House; sent to Judiciary 2.
HB 560 - Mental hospital accounts, as amended in House 5/29. Received from House; sent to Appropriations.
HB 814 - License examiner benefits. Reported favorably.
HB 907 - After acquired title. Committee amendment adopted in House on Friday, May 26, providing that five-year limitation not to apply to after-acquired property clause in instrument which creates a security interest made by public utility as defined in GS 62-3(23) or by electric or telephone membership corporation incorporated or domesticated in North Carolina. (HB 907 passed second and third readings in House on Friday, May 26, and is now in Senate Judiciary 2 committee.)
HB 916 - Hospital non-profit corporation. Reported favorably.
HB 935 - Dependent child definition. Postponed to May 31.
HB 945 - Work release earnings, as amended in House 5/19. Reported favorably.
HR 1192 - (Joint Resolution) Honoring Blackbirds. Received from House; passed second and third readings.

LOCAL BILLS

HB 511 - (Craven) Vanceboro property tax, as amended in House 5/5. Passed third reading.
HB 888 - (Wake, Durham) R-D Airport land transfers (House committee substitute 5/25). Received from House; sent to Judiciary 1.

HB 1123 - (Wayne) Eureka single-shot voting. Received from House; sent to Counties, Cities and Towns.
HB 1124 - (Wayne) Eureka comm'rs pay. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 205 - (Rockingham) ABC officers jurisdiction. [Ch. 616]
SB 219 - Noncourthouse comm'r meetings, as amended in Senate 4/26 and House 5/25. [Ch. 617]
SB 350 - (Edgecombe) Tarboro elections. [Ch. 618]

HB 512 - Adoption of blood relatives, as amended in House 5/3. [Ch. 619]
HB 551 - (Rutherford) Criminal jurisdiction. [Ch. 620]
HB 554 - Drainage district petitions. [Ch. 621]
HB 559 - (Surry) JP Fees. [Ch. 622]
HB 605 - (Iredell) Watershed tax. [Ch. 623]
HB 632 - Mortgage guaranty insurance. [Ch. 624]
HB 774 - (Carteret) School board election. [Ch. 625]
HB 775 - 11th District court reporter pay. [Ch. 626]
HB 778 - (Beaufort) Police association. [Ch. 627]
HB 827 - (New Hanover) School pension withdrawal. [Ch. 628]
HB 877 - (Wayne) Goldsboro charter revision. [Ch. 629]
HB 886 - (Onslow) School board election. [Ch. 630]
HB 900 - Agricultural research vote. [Ch. 631]
HB 950 - Sanitary district regulations. [Ch. 632]
HB 979 - (Dare) Register's fees. [Ch. 633]
HB 1014 - Health Insurance Advisory Board. [Ch. 634]

Next session of Senate: 12 noon, Wednesday, May 31, 1967.

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BULLETIN NO. 80
Tuesday, May 30, 1967

Session: House -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1168 - Introduced by Taylor
"For the defense of State employees." [Amends GS Chapter 143 to add a new article empowering State upon request of employee or former employee to provide defense of any civil or criminal action or proceeding, before NC or federal court or agency brought against him in his official or individual capacity, or both, on account of act or omission in scope and course of his employment as State employee. Attorney General may refuse such defense, or it may be refused by chief administrative authority of agency or other institution covered by act to whom AG may delegate such power, on grounds of: act or omission was not within scope of employment; fraud, corruption or malice; defense by State would create conflict of interest between State and employee, or defense not in best interest of State. Governor may issue regulations for defense of employees through one or more of following methods: (1) by AG, (2) by employing other counsel as provided in GS 147-17, (3) by authorizing purchase of insurance requiring insurer to provide or underwrite cost of defense or, (4) by authorizing defense by counsel assigned to or employed by the department or other state authority which employed person requesting defense. Amends GS 147-17 by eliminating references to Governor's directing Auditor to draw warrant on Treasurer for compensation of special counsel, eliminating provisions relating to defense by State of civil suits against employees on recommendation of Attorney General, and authorizing Governor to direct that compensation for special counsel be paid out of departmental funds or from Contingency and Emergency.] To Judiciary 2.

HB 1169 - Introduced by Taylor of Carteret and Sugg
"To amend Chapter 160 of the General Statutes to authorize municipalities and counties to provide for the defense of their employees and officials." [Amends GS Chapter 160 by adding a new article empowering any municipality or county in its discretion and upon request of employee or former employee to provide defense of any civil or criminal action or proceeding brought against him in his official or individual capacity, or both, on account of act or omission in scope and course of his employment as employee or official of such municipality or county. Defense may be provided by municipality or county by its own counsel, by employing other counsel, or by purchasing insurance requiring insurer to provide the defense. Providing for defense pursuant to act declared to be public purpose and expenses therefor a necessary expense.] To Judiciary 2.

HB 1171 - Introduced by Jones
"To classify personal property in interstate commerce stored in public warehouses in North Carolina for ad valorem tax purposes." [Adds new section to GS 105-281 to designate a special class of personal property which shall not be assessed for taxation. Class to consist of personal property of non-residents of State in original package or fungible goods in bulk, belonging to non-resident, shipped into State and placed in public warehouse for purpose of trans-shipment to out-of-state or in-state destination and so designated on original bill of lading, or personal property of residents of State in original package and fungible goods in bulk, belonging to resident of State, placed in public warehouse for purpose of trans-shipment to out-of-state destination and so designated on original bill of lading. No portion of premises owned or leased by a consignor or consignee, or subsidiary thereof, shall be deemed public warehouse within meaning of act despite licensing as such. Effective July 1, 1967. Identical with SB 572.] To Finance.

HB 1172 - Introduced by Sugg and others

"To amend G.S. 20-279.21, as the same relates to uninsured motorist insurance, so as to require that endorsement of such insurance contain certain provisions." [Amends GS 20-279.21(b)(3) to provide that in addition to other requirements of section in regard to uninsured motorist insurance, every policy of bodily injury liability insurance covering liability arising out of ownership, maintenance or use of any motor vehicle shall be subject to following provisions whether stated in policy or not: (1) Insurer bound by final judgment taken by insured against an uninsured motorist if insured served copy of summons, complaint or other process in action against uninsured motorist as provided by law. Insurer upon being served shall be party to action and may defend suit in name of uninsured or in own name, and shall have time allowed by statute to plead. Consent of insurer not required for initiation of suit by insured against uninsured; no action to be initiated by insured until 60 days following posting of notice to insurer or after personal delivery of notice to insurer or agent setting forth belief of insured that defendant is uninsured motorist. No default judgment shall be entered when insurer has timely filed pleading. (2) Where insured, under uninsured motorist coverage, claims bodily injury resulting from collision and asserts that identity of operator or owner of vehicle, other than vehicle in which insured is passenger, cannot be ascertained, insured may institute direct action against insurer, provided insured reports accident within 24 hours or as soon as practicable to police or other judicial officer or to Commissioner of Motor Vehicles. Insured shall within reasonable time give notice to insurer of injury. Suit may not be instituted against insurer in less than 60 days from posting of first notice of injury or accident to insurer or after personal delivery. (3) No insurer may cancel, refuse to renew or reduce coverage under any automobile liability insurance policy because insured has made claim on its uninsured motorist endorsement. When policy cancelled, or insured fails to renew following claim made by insured upon uninsured motorist's endorsement, insurer shall furnish to insured upon request the reasons for termination of policy and such information shall be privileged and shall not subject insurer to liability for libel, slander or other defamation. (4) Act shall not apply to existing policies of insurance but shall apply to renewals and new policies issued after date of ratification of act. Identical with SB 573.] To Insurance.

HB 1173 - Introduced by Bunn

"To limit the number of contract shippers which may be served by a franchised contract carrier under the public utilities act." [Amends GS 62-3 to add to definition of "contract carrier by motor vehicle" and "contract carrier", for purposes of Public Utility Act (GS Chapter 62), any person who engages in described activity under an individual contract or agreement "with another person and with such additional persons as may be approved by the Utilities Commission." Amends GS 62-114 (setting requirements of contract carriers permits) to provide that permit shall list name of all contract parties carrier authorized to serve, and no additions or substitutions of contracts shall be made without approval of Commission; Commission may adopt regulations limiting number of contract parties served by contract carrier so that such carriers shall not hold themselves out to serve in manner of common carriers (now, it is provided that no terms, condition, or limitations restrict right of such carrier to substitute or add contracts within scope of permit as development of business and demands of public may require.) Effective Sept. 30, 1967.] To Public Utilities.

HB 1174 - Introduced by Bunn

"To amend Chapter 20 of the General Statutes to apply to term 'contract carrier' only to motor carriers franchised under the Public Utilities Act, and to use the term 'exempt for hire carriers' for exempt carriers purchasing for hire license plates." [Amends schedule of rates for registration of self-propelled

property-carrying vehicles in GS 20-88(b) by making column now applying to "Contract carriers" apply to "Contract carriers, flat rate/carriers, and exempt for hire carriers". Amends GS 20-88(g) to provide that contract carriers operating under Utilities Comm'n permit under GS 62-262 (now, contract carriers certificated as restricted common carriers) shall be subject, in addition to rate provided in GS 20-88(b), to gross 6% tax under prescribed circumstances. Amends GS 20-28(24)a to substitute for present definition of contract carrier vehicles a definition of exempt for hire vehicles as vehicles used for transporting property for hire but not licensed as common or contract carriers by Utilities Comm'n or by ICC, subject to specified exemptions. Adds to GS 20-38(24) provision that defines contract carrier of property vehicles as those used for transporting property under franchise permit of a regulated contract carrier issued by Utilities Comm'n or ICC. Effective Feb. 15, 1968.] To Public Utilities.

HB 1175 - Introduced by Bailey and others

"To amend G.S. 6-8 so as to clarify the law with respect to court costs in criminal cases." [Adds requirement to GS 6-8 (clerk to itemize bills of criminal costs) that bill of cost include, in addition to all other costs authorized by law, all unpaid costs of medical and hospital services provided for criminal defendants for which a governmental unit became responsible because defendant was in custody at time medical and hospital services were provided. Validates previously charged medical and hospital expenses.] To Courts and Judicial Districts.

HB 1180 - Introduced by Rountree and Forbes

"To appropriate funds to East Carolina College to provide for the acquisition of equipment for the basic sciences." [Appropriates from General Fund to East Carolina College $639,320 for acquisition of equipment for basic sciences. Effective July 1, 1967.] To Appropriations.

HB 1181 - Introduced by Rountree and Forbes

"To appropriate funds to East Carolina College to improve its program for organized research." [Appropriates from General Fund to East Carolina College $138,680 for each fiscal year of 1967-69 biennium to improve service of Regional Research and Development Institute by providing additional staff, staff and operating expenses for Institute of Life Sciences and Community Health, and for released time for faculty engaged in research. Effective July 1, 1967.] To Appropriations.

HB 1182 - Introduced by Rountree and Forbes

"To appropriate funds to East Carolina College for library purposes." [Appropriates from General Fund to East Carolina College $400,304 for 1967 and $500,304 for 1968 fiscal years to provide additional personnel to meet expanding needs in college library and for acquisition of library books and periodicals and instrumental materials. Effective July 1, 1967.] To Appropriations.

HB 1183 - Introduced by Rountree and Forbes

"To appropriate funds to East Carolina College for data processing and Computer Center operations." [Appropriates from General Fund to East Carolina College $126,112 for each fiscal year of 1967-69 biennium for expanded data processing and Computer Center operations. Effective July 1, 1967.] To Appropriations.

HB 1184 - Introduced by Rountree and Forbes

"To appropriate funds to East Carolina College so as to provide for an Elementary Educational Laboratory School." [Appropriates from General Fund to East Carolina College $1,135,000 to acquire and construct an elementary educational laboratory school containing some 58,300 square feet of space. Effective July 1, 1967.] To Appropriations.

HB 1185 - Introduced by Rountree and Forbes

"To appropriate funds to East Carolina College for general institutional expenses relating to research and development." [Appropriates from General Fund to East Carolina College $52,508 for each fiscal year of 1967-69 beinnium to provide salaries, office expenses, travel and three stenographers for professor and Director of Research and Development, Associate Professor and Director of Research and Development, and Assistant Professor and Grants Administrator. Effective July 1, 1967.] To Appropriations.

HB 1186 - Introduced by Greenwood

"To amend Chapter 1063, 1965 Session Laws." [Identical with SB 567, digested in the Senate section of today's bulletin.] To Appropriations.

HB 1187 - Introduced by Person and others

"To amend G.S. 58-79 relating to investments of life insurance companies in stocks, real estate, and to allow limited leeway in making other investments." [Amends GS 58-79(a)(6) to make "common stocks" (now, stocks) paying dividends a proper investment by life insurance companies of minimum required surplus. Amends GS 58-79(a)(11)(e)(1)(III) to change conditions required when company invests in real property for purpose of leasing same to party already leasing property, from reducing investment each year in equal increments sufficient to write off 75% of investment at termination of lease or within 30 years if term is for longer period to reducing "each year by at least two percent (2%) of the investment allocable to the improvements on such real estate." Adds new subdivision to GS 58-79(a) permitting insurance companies to invest the minimum required surplus in investments not otherwise qualifying under GS 58-59(a), if such investments do not exceed lesser of (1) 5% of admitted assets or (2) amount by which total admitted assets exceed total liabilities (except capital) plus $600,000 as shown on last annual statement preceding date of acquisition of such investment as filed with Comm'r of Insurance; provides further that no company is authorized by new subdivision to invest in real property unless already authorized.] To Insurance.

HB 1188 - Introduced by Exum and others

"Relating to subsistence and travel allowances of State officers and employees." [Amends GS 138-6 to fix the following travel allowances of State officers and employees: (1) for transportation by privately owned automobiles 10¢ per mile (now, 8¢), (2) for subsistence, the actual amount expended for room, meals, and reasonable gratuities, not to exceed total of $14 (now, $12) per day when traveling in State or total of $18 (now, $16) per day when traveling out of State. Amends GS 138-7 to provide that Director of Budget, with approval of Advisory Budget Commission, shall establish and publish uniform standards and criteria under which actual expenses in excess of $14 (now, $10) for in-State travel and $18 (now, $16) for out-of-State travel may be authorized for extraordinary charges required for official business. Effective July 1, 1967.] To Appropriations.

HB 1189 - Introduced by Sugg and others

"To amend G.S. 20-279.21, relating to motor vehicle liability policies so as to provide that default judgments taken against insureds holding policies under the assigned risk plan shall not be used as a basis for judgment against an assigned risk insurer, unless such insurer has had reasonable notice of the pendency of suit against its insured and an opportunity to defend." [Amends

GS 20-279.21(f)(1) (stating provisions to which every motor vehicle liability policies shall be subject) to add provision that as to policies issued to insureds in State under the North Carolina Assigned Risk Plan, a default judgment taken against assigned risk insured shall not be used as basis for obtaining judgment against insured unless counsel for plaintiff has forwarded to insured, or agent, by registered mail a copy of summons, complaint, or other pleading filed or to be filed. Return receipt to be filed with clerk of court where action pending and be admissible as proof of notice to insurer. Commissioner of Motor Vehicles and Assigned Risk Bureau shall upon request furnish plaintiff name and address of insurance carrier as shown in their records but shall not be liable for mistake. Insurer upon receipt of process may intervene in suit against its insured as a party defendant and defend same in name of insured. Insurer shall have 30 days from signing of return receipt to file motion to intervene, along with responsive pleading, whether verified or not, which it may deem necessary to protect its interest; court may upon motion extend filing time if insurer elects not to defend action and coverage is in fact provided by policy, insurer bound to extent of its policy limits to judgment taken by default against insured and non-cooperation of insured is no defense. If insured complies with provisions of act insurer may not cancel or annul policy as to such liability and defense of non-cooperation shall not be available to insurer, provided insurer shall not be deprived of policy defenses, that policy not in force at time in question, that operator was not an insured under policy, or that policy had been cancelled at time of accident. Effective as to actions initiated after ratification.] To Insurance.

HB 1191 - Introduced by Baugh

"To fix the rate of sales tax on motor vehicles at three per cent (3%) of the sales price with a maximum tax of two hundred dollars ($200.00) per vehicle." [As title indicates, amends GS 105-164.4 to fix rate of sales tax on motor vehicles at 3% (now, 1%) with maximum of $200 (now, $120). Effective July 1, 1967.] To Finance.

HR 1192 - (Joint Resolution) Introduced by Eagles and others

"Honoring the Rocky Mount Senior High Blackbirds as champions of the State Class 4-A Baseball League." [As title indicates.] Passed three readings and sent to Senate.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1170 - (Currituck) Introduced by Culpepper and Godwin of Gates

"To incorporate the Town of Bell's Island, Incorporated, in Currituck County, North Carolina." [Incorporates Town of Bell's Island with all general municipal corporate powers and establishes town boundaries by metes and bounds. Provides for 4-member town council and mayor nominated and elected from town at large to 4 and 2-year terms, respectively, with vacancies filled by remainder of council. Bell's Island council meetings as provided by resolution; special meetings on call of mayor or two members; meetings open to public. Provides for organization and procedures of office of mayor and council; provides for recorded yeas and nays on all ordinances and resolutions. Provides that Resolution of Activation by Currituck Commissioners necessary prerequisite for town status; such resolution to be adopted within 90 days of written petition of 15% of free-holders in proposed town limits to activate town as of resolution effective date; should activation resolution be repealed, Act not to be affected; county commissioners to call town election immediately upon adoption of activation resolution. Regular elections for mayor and council held on Tuesday after first Monday in May of odd-numbered years. Provides for nominations by filing of candidacy; in initial council election two receiving highest vote to serve four years and next two highest to serve 2-year terms. Provides for council to appoint town clerk, treasurer, tax collector, accountant, attorney, police chief, fire chief and other necessary employees; council empowered to fix salaries, prescribe bonds,

require oaths and combine duties of such employees who serve at pleasure of council. Provides for town fiscal matters relating to contracts and purchases (GS generally; GS 143-129 particularly), deposit and disbursement of town monies and annual independent CPA audit. Prescribes oath for town office and prohibits personal financial interest on part of any town officers in town affairs under penalty of malfeasance of office, forfeiture, and contract voidable by council.] To Judiciary 2.

HB 1176 - (Forsyth) Introduced by Bailey and Hamrick

"To amend Chapter 677 of the 1947 Session Laws relating to the zoning laws of Forsyth County." [Amends SL 1947, Ch. 677, Sec. 31 to provide that before adopting any amendment of zoning regulations, Forsyth board of commissioners shall hold public hearing thereon for which at least 10 days (now, 30 days) notice of time and place of hearing shall be given by publication in newspaper of general circulation in county.] To Judiciary 1.

HB 1177 - (Forsyth) Introduced by Bailey, Ingle, Jemison, McKnight and Hamrick

"Amending Chapter 224 of the 1951 Session Laws relating to the letting of contracts by the City of Winston-Salem so as to make the same applicable also to Forsyth County." [Makes provisions of SL 1951, Ch. 224 (modifications, applicable only to Winston Salem, of provisions of GS 143-129 relating to procedures for letting public contracts) applicable in part to Forsyth County so that the requirements of GS 143-129 shall not apply to county so far as purchase of any motor vehicle is concerned whenever a motor vehicle owned by county is exchanged or traded in as part of purchase price of said motor vehicle.] To Judiciary 1.

HB 1178 - (Forsyth) Introduced by Bailey, Ingle, Jemison, McKnight and Hamrick

"To amend G.S. 67-12 so as to authorize the Board of County Commissioners of Forsyth County to regulate dogs running at large and unaccompanied by the owner or by some member of the owner's family or by some other person with the owner's permission." [Authorizes Forsyth County Commissioners to adopt resolution making it unlawful for any owner of a dog to permit it to run at large unaccompanied by owner, or some member of owner's family, or some other person with owner's permission, unless dog is wearing a muzzle. Knowing violation is misdemeanor punishable by fine not exceeding $50 or imprisonment not exceeding 30 days and results in liability for damages caused to persons or property. Commissioners authorized to adopt resolution empowering law enforcement officer, dog warden, or rabies control officer to pick up any dog found to be in violation of any laws of State or resolutions of board relating to stray or lost dogs running at large, and to place said dog in a pound. Resolution may spell out procedure to be followed upon impounding including notice, authorization of owners to redeem dog upon payment of fees fixed by commissioners, and human destruction of dogs unredeemed by owners or others.] To Judiciary 1.

HB 1179 - (New Hanover) Introduced by Hill

"To amend Chapter 753, Session Laws of 1963, so as to make it applicable to New Hanover County." [Amends SL 1963, Ch. 753 to delete exemption of New Hanover County from provision of GS 24-9, permitting loans with specified security to corporations organized for profit, without regard to claim or defense of usury.] To Judiciary 2.

HB 1190 - (Caldwell) Introduced by Tate

"To provide for the election of the members of the Board of Education of Caldwell County." [Provides for nonpartisan election of five member Caldwell County School Board in election to be held at time of regular primary election

for nomination of county officers for 1968. Nomination to be by filing of non-partisan notice of candidacy with county board of elections at least 30 days prior to date of primary election and by payment of $5 filing fee. Two candidates receiving highest number of votes to serve term of six years, two candidates receiving next highest number of votes to serve term of four years, and candidate receiving next highest vote to serve term of two years with all terms of office to be filled upon expiration by elections for terms of six years. Separate ballot shall be used for school board elections and distributed without regard to political affiliation. Vacancies to be filled for unexpired term by majority vote of remaining members of board. If number of candidates does not exceed number of terms expiring, no election necessary. Present members of board shall hold office until first Monday in December, 1968, or until successors elected and qualified.] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 268 - (Joint Resolution) Boat capacity marking. Reported favorably.
SB 272 - Loan association investments, as amended in Senate 5/18. Reported favorably.
SB 292 - Omnibus court amendments, as amended in Senate 5/22. Reported favorably.
SB 328 - 4th Dist. ct. reporter pay. Passed second and third readings.
SB 415 - County boundary fishing. Reported favorably.
SB 457 - Sanitary district advances. Passed third reading.
SB 469 - Industrial Commission appeals, as amended in Senate 5/19. Reported favorably as amended.
SB 470 - Tort claim appeals, as amended in Senate 5/19. Reported favorably.
SB 544 - Four-year superintendents . Received from Senate; placed on calendar.
SR 570 - (Joint Resolution) Honoring Campbell. Passed second and third readings.

HB 171 - Offspring car tort recovery. Passed second reading.
HB 320 - Unsecured bail bonds II. Amendments adopted making technical changes and providing that officer authorized to set conditions to insure appearance of defendant shall, on basis of information available, without application of evidence rules, take into account nature and circumstance of offense charged; weight of evidence against accused; accused's family ties, employment, financial resources, character and mental condition, length of residence in community, record of convictions, and record of appearance at court proceedings or of flight to avoid prosecution or failure to appear at court proceedings. Passed second and third readings.
HB 333 - Motorcycle safety gear (House committee substitute 4/18), (Senate committee substitute 5/25). Passed second reading.
HB 334 - 10¢ Alcoholic rehab. II (House committee substitute 5/26). Amendments adopted clarifying 5¢ amount per bottle of alcoholic beverage to be applied toward alcoholic education for alcoholics and non-alcoholics. Passed third reading.

HB 401 - Rules of civil procedure. Reported favorably as amended.
HB 616 - Charitable immunity no defense. Reported favorably.
HB 624 - Trout water impoundments. Reported favorably as to committee substitute. Committee substitute adopted which defines trout as being of species brook, brown and rainbow; makes clear that sections 2, 3 and 4 are limited to streams supporting natural trout population; provides that all impoundments construction of which is completed after June 1, 1967 are to comply with Act (original bill allowed time period up January 1, 1968 to comply) except impoundments constructed and operated by US Army Corps of Engineers, TVA, other dept's of US Government, and those constructed by public utility under jurisdiction of NC Utilities Commission for or in connection with generation of electricity for public electric service.
HB 648 - Omnibus court amendments. Postponed to 5/31.
HB 753 - MD cancer report immunity. Reported favorably.
HB 921 - Out-state adopted children. Reported favorably as amended.
HB 969 - Small watershed changes (House committee substitute 5/26). Floor amendment adopted to provide that interests in land subject to condemnation under Act do not include those for public water supply, unless not necessary therefor (original provision defined interests subject to condemnation as including those for public use but not necessary therefor nor in actual use.) Passed third reading.
HB 972 - Agency reports to UNC branches. Passed second and third readings.
HB 1004 - Aged auto insurance. Reported favorably as amended.
HB 1017 - Stray dog killing. Reported unfavorably.
HB 1032 - Reports to Asheville-Biltmore. Passed second and third readings.
HB 1038 - County aid to retarded. Passed second and third readings.
HB 1041 - Auto license denial and hearing. Reported favorably.
HB 1047 - Owl & Hawk protection. Reported favorably.
HB 1049 - Wild turkey taking fine. Reported favorably.
HB 1061 - Municipal bond retirement. Passed third reading.
HB 1062 - Municipal fidelity bonds. Passed second and third readings.
HB 1091 - General Assembly pay. Technical amendment correcting spelling error adopted. Passed second and third readings.
HB 1097 - Motor vehicle rear lamps. Reported favorably as to committee substitute. Committee substitute adopted which requires that all affected vehicles have all originally equipped rear lamps in good working order (original bill specified two lamps of type approved by MV Commissioner); deletes exception to rear lamp provisions of Act relating to tractors, motorcycles, tractor-trailers and vehicles originally manufactured with one rear lamp.
HB 1121 - Guard disability expenses. Rereferred to Finance.
HB 1126 - Railroad track tampering. Reported favorably.
HB 1127 - Injury to realty. Reported favorably.
HB 1149 - Insurance co. auto plates. Reported favorably.
HB 1157 - Additional judges, 5 districts. (This bill-Iden. SB 557- was digested in yesterday's bulletin at page 782 under the designation HB 1164). Reported favorably; rereferred to Appropriations.
HB 1164 - 5% State salary increase. (This bill- Iden. SB 561- was digested in yesterday's bulletin at page 781 under the designation HB 1157.)
HR 1192 - (Joint Resolution) Honoring Blackbirds. Passed second and third readings.

LOCAL BILLS

SB 541 (Henderson) School tax levy vote, as amended in Senate 5/29. Received from Senate; sent to Education.
SB 547 - (Union)Monroe land conveyance. Received from Senate; sent to Judiciary 1.
SB 558 - (Henderson) Amending SB 325. Received from Senate; sent to Propositions and Grievances.

HB 564 - (Swain) Loose-leaf registration. Reconsidered 5/29 vote by which postponed indefinitely; passed.

HB 567 - (Mecklenburg) Planned streets. Reported favorably as to committee substitute adopted adding provision that if condemnation proceedings not filed with CSC or actual purchase not made of property lying within boundaries of any street shown on official map within three years from date on which street added to map, then property lying within boundaries of such street deemed conclusively abandoned for street purposes by City; thereafter owner to have right to construct within boundaries any type of structure permitted by zoning laws. Provides that vacant land and residence and commercial buildings and structures, lying within boundaries or right-of-way of streets shown on official map to be removed from tax scrolls when land placed under effect of Act by action of city council as prescribed in Act. Provides that if certain structures are occupied at time of city council approval of streets for inclusion in Act, but subsequently become vacant, prior to condemnation filing, property to be removed from tax scrolls on date property became vacant; provides that appeal from board of adjustment decision is to city council.

HB 1134 - (Buncombe) School tax election, as amended in House 5/29. Passed third reading.

Next session of House: 11:30 a.m., Wednesday, May 30, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 81

Wednesday, May 31, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 574 - Introduced by Harrington
"To provide for the acquisition of property for the restoration, preservation and enhancement of natural or scenic beauty of areas along the state highways." [Authorizes SHC to acquire fee simple title or lesser interest in real property in vicinity of public highways part of state highway system for purpose indicated by title; SHC not required to expend funds unless federal aid funds are available. Provides for condemnation procedures pursuant to GS Ch. 136, Article 9, and authorizes SHC to adopt rules governing use, maintenance and protection of areas or interests acquired; makes violation of rules misdemeanor.] To Public Roads.

SB 575 - Introduced by Harrington
"To provide for the control and regulation of outdoor advertising in the vicinity of the interstate and primary highway system, and for the administration of such controls and regulations." [Identical with HB 1195, digested in the House section of today's bulletin.] To Public Roads.

SB 576 - Introduced by Harrington
"To provide for control of junkyards in the vicinity of interstate and primary highways and for the administration of such controls." [Identical with HB 1193, digested in the House section of today's bulletin.] To Public Roads.

SB 578 - Introduced by Penn and others
"To provide for the examination and licensing of practicing psychologists; to create a State Board of Examiners of Practicing Psychologists; to define the duties and powers of that Board; and to provide penalties for the violation of the Act." [Creates State Board of Examiners of Practicing Psychologists with five members appointed by Governor; two primarily engaged in graduate teaching or research in psychology and two in rendering services in psychology; three members to be licensed (or qualified) under Act. Provides for 3-yr staggered terms; within 30-days after effective date of Act, Executive Committee of NC Psychological Association (with advice of chairmen of graduate departments of psychology in State) to submit ten persons eligible for licensing to Governor from which he shall select Board within ten days; that five initial appointees deemed to be licensed practicing psychologists (LPP). Authorizes Board to adopt regulations to carry out Act and requires annual report to Governor. Defines various terms used in Act, e.g., "practice of psychology" defined as rendering or offering to render professional psychological services to individuals singly or in groups whether

in general public or in organization (public or private), for a fee, and "psychological examiner" (PE) as licensee rendering or offering to render professional psychological services (interviewing or administering and interpreting tests of mental aptitudes, etc. and personality characteristics for psychological evaluation or for education, vocational or personnel selection, guidance or placement). Prohibits LLP's and PE's from practicing medicine. Provides that Act not to restrict the following: persons in regular employ of federal, state, county or municipal government or educational institution when activities are part of duties of his position; persons preparing for practice of psychology under qualified supervision in accredited education institution or service facility acting in course of study; salaried employees of governmental units, accredited educational institutions, or private business; persons graduated with doctoral degree in sociology or social psychology from institution whose credits in sociology or social psychology acceptable by accredited education institution and who have passed comprehensive examination in field of social psychology as part of requirement for doctorate or had equivalent specialized training in social psychology and have filed with Board statement of such facts; members of professional groups in practice of their professions provided they do not hold themselves out to public by any title or description stating that they are practicing psychologist or PE's or LPP's; psychologists not residents of NC who render professional psychological services in State for not more than five days in any calendar year. Grants Board authority to issue temporary licenses in prescribed situations. Provides that Board to issue PP license for fee of $25 to persons passing satisfactory examination in psychology who are at least 21, of good moral character, have received doctoral degree based on program of psychological studies from accredited education institution and subsequent to degree have had at least two years of acceptable professional experience as psychologist, and have not failed Board examination within preceding six months. Provides that Board to issue PE license for $25 fee to persons passing satisfactory examination in psychology who are: at least 21, of good moral character, have received master's degree based on two academic years of graduate training in psychology from accredited educational institution, or in lieu thereof, training and experience Board considers equivalent, and have not failed Board examination within preceeding six months. Examination for LPP and PE to be prescribed by Board and may be oral, written, or both; to be administered annually or more frequently as decided by Board. Provides that prior to July 1, 1969, Board shall waive examination and doctoral requirement for LPP and shall waive examination for PE provided applicants meet all other requirements, are qualified by education and experience, have been engaged in such activities for at least five years prior to July 1, 1969; qualifying experience may have been accumulated in teaching of psychology at accredited educational institution or in psychological research or in administration of program of psychological services. Provides that Board shall waive requirement of doctoral degree if applicant shows satisfactory evidence of combination of graduate work, training and experience. Provides for reciprocity with other states, territories and districts. Requires licenses to be renewed annually for $5 fee. Sets out criteria for refusal, suspension or revocation of licenses. After June 30, 1968 prohibits persons from representing themselves as PP or PE without valid license; also prohibits persons from holding themselves out as licensed under Act. Makes violation misdemeanor punishable by fine up to $500, imprisonment up to six months, or both. Provides that license fees to be deposited with State Treasurer to credit of revolving fund for use of Board. Adds new GS 8-53.2 providing that no LPP or PE, nor any of his employees or associates, to be required to disclose any information which he may have acquired in rendering professional psychological services which was necessary for treatment. Authorizes presiding judge of superior court to compel disclosure if necessary to proper administration of justice. Makes Board subject to provisions of GS Ch. 150 (Uniform Revocation of Licenses). Effective July 1, 1967.] To Judiciary 1.

SB 579 - Introduced by Currie
"To amend G.S. 143-166 relating to the amount of savings and loan shares guaranteed by the Federal Savings and Loan Insurance Corporation." [Amends GS 143-166(g)(9) by raising from $10,000 to $15,000 maximum amount which Board of Commissioners of Law Enforcement Officers' Benefit and Retirement Fund may invest in each state and federal savings and loan association in which deposits are guaranteed by Federal Savings and Loan Insurance Corporation.] To Judiciary 1.

SB 580 - Introduced by Alford
"To amend G.S. 58-79 relating to investments of life insurance companies in stocks, real estate, and to allow limited leeway in making other investments." [Identical with HB 1187, digested in yesterday's bulletin (No. 80)at page 792.] To Insurance.

SB 581 - Introduced by McLendon and Kemp
"Creating a State of North Carolina Stadium Authority; to define and provide its purposes and duties; to authorize it to issue self-liquidating revenue bonds to finance the acquisition, construction, equipment, maintenance and operation of its facilities; and to authorize state and local financial contributions to such Authority." [Creates Stadium Authority as indicated by title, to promote, develop and operate one or more stadia, with or without roof, and adaptable to athletic, musical, theatrical, religious, convention and related events. Authority to consist of three appointees of Governor and two of city or county entering agreement to grant land or facilities, serving 4-year terms; Authority to elect Chairman and other officers; members to be reimbursed for expenses in accord with GS 138-5 and 138-7 but not otherwise compensated. Spells out detailed corporate powers, including regulating use of facilities, fixing charges and fees therefor, and accepting funds and materials from federal and state agencies subject to reasonable conditions. Exempts Authority property and income (and revenue bonds, income therefrom and gains from sale) from State and local taxes and assessments. Authorizes Authority to issue negotiable revenue bonds to finance projects, 40 year maximum principal, 6% maximum interest; spells out details of bond procedures (including trust agreements, sinking funds, interim receipts, and refunding bonds); bonds to be approved and sold by Local Government Comm'n. Authorizes Governor and Council of State to make grants to Authority from Contingency and Emergency; authorizes Dep't of Administration and other agencies with approval of Governor and Council of State to transfer to Authority on terms deemed reasonable any interest in realty and to furnish services or aid. Authorizes any city or county specially benefited by Authority project to contract to grant land, materials, services or monies to Authority; taxes and bonds therefor must be approved by local voters at special election (tax at 1¢ to 10¢ per $100 valuation). Provides for deposit of Authority funds, surety bonds of members, annual reports and audits. Expressly repeals SL 1959, Ch. 917 (existing NC Stadium Authority Law).] To Judiciary 2.

LOCAL BILLS INTRODUCED--SENATE

SB 577 - (Polk) Introduced by Buchanan
"To fill a vacancy in the membership of the Board of Trustees of the Tryon City Administrative School Unit." [As title indicates; appointee for term ending 1st Monday in April, 1969, to be Guynell Smith who shall qualify for office on June 15, 1967, or as soon as practicable thereafter.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 175 - Drilling and boring records, as amended in Senate 5/25. Passed second and third readings.

SB 210 - Banking law amendments. Reported favorably as to committee substitute. Committee substitute adopted which makes following changes in original:

Amends proposed GS 53-42.1(b) by lowering from 25% to 10% (minimum) the relation that voting stock of bank being used to secure bank loan must bear to total voting stock for purpose of required report to Commissioner of Banks. Modifies new (11) to GS 53-43 authorizing banks to perform corporation services "such as data processing services and bookkeeping services" (adds quoted words) subject to rules of Comm'n; and deletes proposed new powers relating to safe-deposit business and general power to carry out banking business. Deletes proposed GS 53-43.3 (ownership and leasing of personal property) and GS 53-43.4 (ownership and leasing of real property). Adds requirement to proposed GS 53-43.7 provision that copy of section be printed on contracts for rental of safe-deposit boxes. Deletes proposed rewrite of GS 53-80 (directors, residence qualification) and GS 53-81 (directors to take oath). Adds proviso to proposed amendment to GS 53-91 that in no event shall a loan in excess of $2500 be made by any bank to any officer of that bank. Adds rewrite of second sentence of GS 53-92 as follows: "Not more than five members of the said Commission shall be practical bankers, and the remainder of the membership of the said Commission shall be selected so as to fully represent the industrial, manufacturing, professional, business and farming interests of the State." Provides that quoted sentence not to apply to members currently serving under appointment made prior to effective date of Act. Deletes proposed amendment to GS 53-117 and substitutes proviso that Comm'r may extend periodic appointment of bank examiners and assistants from one year to 15 months when emergency conditions exist. Deletes proposed amendments to GS 53-122 (fees for examination and other services) and GS 53-126 (loans or gratuities forbidden). Adds proviso to proposed rewrite of GS 53-141(4) requiring Comm'r when authorizing discontinuance of branch bank office to hold public hearing if requested by interested party. Deletes proposed amendment to GS 24-9 (certain loans to corporations organized for profit not subject to claim or defense of usury). Adds to GS 53-1 definition of "practical banker" as officer or employee of bank actively engaged in performing duties in managing or supervising or assisting in managing or supervising conduct of banking business, including any such banker who is retired.

SB 307 - Anti-letter act. Reported favorably as amended. Placed on calendar for 6/2.

SB 386 - ABC tax prohibition, as amended in Senate 5/25. Passed third reading.

SB 388 - Plates of uninsured revocation. Passed second and third readings.

SB 410 - Counsel fees, insurance suits. Amendment adopted providing that attorney's fees attached to costs of insurance companies in cases specified in original bill to be so attached only upon finding by court that defendant insurance company made unwarranted refusal to pay claim, on which suit is based. Passed second and third readings.

SB 440 - Unclaimed clothing changes. Passed second and third readings.

SR 451 - (Joint Resolution) Barring insurer's advertising. Passed third reading.

SB 472 - Annual session amendment. Passed third reading.

SB 476 - Minor's auto insurance. Reported favorably as amended; placed on calendar for 6/2.

SB 477 - Cancelled insurance premiums. Reported favorably; placed on calendar for 6/2.

SR 512 - (Joint Resolution) Pilot Mountain State Park. Reported favorably; placed on calendar for 6/2.

SB 528 - Insurance company acquired. Reported favorably; placed on calendar for 6/2.

SB 536 - Highway offical titles. Reported favorably; placed on calendar for 6/2.

SB 538 - Bi-state road cooperation. Reported favorably; placed on calendar for 6/2.

SR 540 - (Joint Resolution) Country doctor study. Reported favorably; placed on calendar for 6/2.

SB 542 - Fraternal society benefits. Reported favorably; placed on calendar for 6/2.
SB 550 - Agricultural notice. Passed second and third readings.
SB 551 - Licensed ins. co. auto plates. Reported favorably; placed on calendar for 6/2.

HB 146 - Election law codification, as amended in House 5/16 and 5/17. Amendments adopted (1) deleting provision that GS 163-45 (voting place watcher) not to apply to counties adopting full-time and permanent registration; (2) adding provision that if ten or more candidates file for nomination to one office in a primary, county board of elections may prepare separate ballot for each such office (in original, discretionary separate ballots authorized for district, township, and county offices); (3) permitting nomination by county executive committee of each political party in case of vacancy in office of clerk of superior court (in original, such nomination "shall" be made); providing that affidavit of nonpartisanship be filed by independent candidate with the secretary or chairman of appropriate board of elections (in original bill as amended in House, only with latter); (4) deletes references in GS 163-227(b) (application for absentee ballot for previously known sickness) to application procedure by one physically unable to sign application; and (5) providing in GS 163-162 that in counties where voting machines used, election board may furnish paper ballots of each kind to precincts using machines for use by persons required to sign ballot under challenge procedure. Passed second and third readings.
HB 320 - Unsecured bail bonds II, as amended in House 5/30. Received from House; sent to Judiciary 2.
HB 334 - 10¢ alcoholic rehab. II (House committee substitute 5/26), as amended in House 5/30). Received from House; sent to Judiciary 1.
HB 421 - National Guard auto plates (House committee substitute 5/24), as amended in House 5/25. Reported favorably; placed on calendar for 6/2.
HB 582 - Offical records distribution. Reported favorably; placed on calendar for 6/2.
HB 609 - Interfamilial actions in State. Postponed to 6/2.
HB 699 - Garbage work by prisoners. Reported favorably; placed on calendar for 6/2.
HB 814 - License examiner benefits. Failed to pass second reading.
HB 847 - Sanitary district board pay. Reported favorably.
HB 912 - Wide load farm equipment. Reported favorably; placed on calendar for 6/2.
HB 916 - Hospital nonprofit corp. Passed second and third readings.
HB 930 - Auto license tax payment, as amended in House 5/26. Reported favorably; placed on calendar for 6/2.
HB 935 - Dependent child definition. Passed second and third readings.
HB 945 - Work release earnings, as amended in House 5/18. Postponed to June 2.
HB 969 - Small watershed changes (House committee substitute 5/26), as amended in House 5/30. Received from House; sent to Wildlife.
HB 972 - Agency reports to UNC branches. Received from House; sent to State Government.
HB 1032 - Reports to Asheville-Biltmore. Received from House; sent to State Government.
HB 1038 - County aid to retarded. Received from House; sent to State Government.
HB 1061 - Municipal bond retirement. Received from House; sent to Finance.
HB 1062 - Municipal fidelity bonds. Received from House; sent to Finance.
HB 1091 - General Assembly pay, as amended in House 5/30. Received from House; sent to State Government.

LOCAL BILLS

HB 200 - (Pamlico) Draftsman indentification. Passed.
HB 564 - (Swain) Loose-leaf registration. Received from House; sent to Election Laws and Legislative Representation.

HB 1089 - (Durham) Misdemeanor punishment. Passed.
HB 1134 - (Buncombe) School tax election, as amended in House 5/29. Received from House; sent to Finance.

BILLS RATIFIED

SB 328 - 4th Dist. ct. reporter pay. [Ch. 635]
SB 435 - (Robeson)City school annexation vote. [Ch. 636]
SB 457 - Sanitary district advances. [Ch. 637]
SB 487 - (Robeson) City school annexation vote II. [Ch. 638]
SR 570 - (Joint Resolution) Honoring Campbell. [R 54]

HB 349 - Registering instruments, (House committee substitute 4/20), as amended in Senate 5/26. [Ch. 639]
HB 471 - Senate & House districts, as amended in House 5/5. [Ch. 640] (The floor amendment adopted in House added amendments to Constitution as follows: Amended Article II, Section 8 by changing requirement that representative have resided in "county" for one year to "district" for like period. Amended Article II, Section 27 by deleting words "and counties" so that section reads that election for members of General Assembly to be held for respective districts.)
HB 511 - (Craven) Vanceboro property tax, as amended in House 5/5. [Ch. 641]
HB 556 - (Franklin, Warren) Fox hunting. [Ch. 642]
HB 557 - School consolidations. [Ch. 643]
HB 640 - (Avery, Mitchell, Watauga) Trespassing posted lands. [Ch. 644]
HB 693 - (Madison) Jury commission pay. [Ch. 645]
HB 766 - (Burke) Consolidating school units, as amended in House 5/19. [Ch. 646]
HB 773 - (Carteret) Regulation of noise, as amended in House 5/10. [Ch. 647]
HB 835 - (Carteret) Nontax reserve fund. [Ch. 648]
HB 836 - (Carteret) Necessary expense reserve fund. [Ch. 649]
HB 855 - (Lee) Sanford charter revision, as amended in House 5/15. [Ch. 650]
HB 920 - Amber wrecker lights, as amended in Senate 5/26. [Ch.651]
HB 951 - Agreements on extension units. [Ch. 652]
HR 1192 - (Joint Resolution) Honoring Blackbirds. [R 55]

Next session of Senate: 12 noon, Thursday, June 1, 1967.

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BULLETIN NO. 81

Wednesday, May 31, 1967

Session: House -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1193 - Introduced by O'Hanlon and Taylor of Carteret
"To provide for control of junkyards in the vicinity of interstate and primary highways and for the administration of such controls." [Provides that no junkyard (definition includes automobile graveyard, garbage dumps and sanitary fills) may be established within 1,000 feet of nearest edge of any interstate or primary highway except those which are: (1) screened by natural objects, plantings, fences or other appropriate means so not visible from main traveled way of highway at any season of year or otherwise removed from sight in accordance with SHC regulations; (2) located within areas zoned industrial; (3) located within unzoned industrial areas, defined by regulations of SHC from land use to be such; (4) not visible from main traveled way highways at any season of year. Provides that establishment, operation or maintainance of junkyard within 1,000 feet of highways protected by Act after effective date of Act a misdemeanor, with each day that junkyard continues operation a separate offense; junkyard so operated also declared public nuisance for which SHC may seek injunctive relief in appropriate Superior Court for abatement and removal of nuisance. Junkyards constituting public nuisance established after effective date of Act, and in violation of Act or SHC regulation, to be given 30 days certified mail notice to conform to Act or SHC regulation; nonconforming junkyards to bear expense of removal of offending junk by SHC or its agent, both of which empowered to enter upon private property for such purpose without civil or criminal liability. Provides that offending junkyards in existence at effective date of Act to be screened, if feasible, by SHC at locations on right-of-way so as to obstruct junkyard view from main traveled way of highway; SHC authorized to acquire by condemnation or otherwise land necessary to accomplish purpose. Where screening of junkyard impractical SHC to relocate, remove or dispose of same by acquiring by condemnation or otherwise necessary land; for purpose of relocating junkyard SHC authorized to pay relocation costs; and to acquire property interest necessary to accomplish move. SHC may convey relocation site to junk owner with or without consideration and under conditions deemed to be in public interest; SHC authorized to convey any other land acquired under Act in manner provided for conveyance of State owned property under conditions and reservations deemed in public interest. SHC empowered, when necessary, to obtain title to acquire offending junk and to store same (acquiring land for that purpose, if necessary) or dispose of same. Provides for operation of junkyard within area prohibited by Act by permit obtained from SHC issued only if junkyard operation falls within exceptions to general prohibition; person aggrieved by SHC refusal to issue permit may appeal as per GS Ch. 143, Art. 33 (judicial review of administrative agencies). SHC empowered to: use condemnation (as per GS Ch. 136, Art. 9) for purposes of Act; to promulgate rules and regulations contemplated by Act; to enter agreements with other sovereigns relating to junkyard control in vicinity of Interstate and primary systems; to acquire interests in real property, in addition to that specifically provided for Act. Requires all zoning authorities to give SHC written, registered mail notice of industrial zoning within 660 feet of right-of-way of highways protected by Act within 15 days of zoning effective date. Exempts SHC from expending funds under Act if federal funds not made available, but does not remove liability of SHC for payment of compensation where property is acquired under Act. Act may be cited "Junkyard Control Act".] To Roads.

HB 1194 - Introduced by O'Hanlon and Taylor of Carteret

"To provide for the acquisition of property for the restoration, preservation and enhancement of natural or scenic beauty of areas along the State highways." [Identical with SB 574, digested in Senate section of today's bulletin.] To Roads.

HB 1195 - Introduced by O'Hanlon and Taylor of Carteret

"To provide for the control and regulation of outdoor advertising in the vicinity of the interstate and primary highway system, and for the administration of such controls and regulations." [Prohibits outdoor advertising (advertising visible from any place on main-traveled way of interstate or primary system) within 660 feet of nearest edge of right of way of interstate or primary highways except following: directional and other official signs and notices permitted by GS Ch. 136; outdoor advertising for sale or lease of property upon which it is located; outdoor advertising for activities conducted on property upon which it is located; outdoor advertising in conformity with rules of SHC located in areas zoned industrial or commercial under authority of State law; and outdoor advertising in conformity with rules of SHC located in unzoned commercial or industrial areas determined from actual land used and defined by SHC. Authorizes SHC to adopt rules governing erection and maintenance of outdoor advertising permitted above. Authorizes SHC to acquire all outdoor advertising and property rights prohibited under Act if such advertising in lawful existence on effective date of Act or is lawfully erected after effective date. Spells out procedures to be followed by SHC in acquisition, purchase or condemnation providing generally for just compensation; special and general benefits to the property to be considered; SHC to use condemnation procedures set out in GS Ch. 136, Article 9. Prohibits erection of permitted advertising within 660 area without permit obtained from SHC; permit to be valid until revoked for nonconformance with Act or SHC rules; authorizes persons aggrieved to appeal pursuant to GS Ch. 143, Article 33. Makes unlawful and a nuisance any outdoor advertising erected in violation of Act or SHC rules; directs SHC to give 30 days notice by certified mail to owner of nonconforming outdoor advertising if owner known, to move it or conform it to Act or rules. Authorizes SHC to remove same if owner fails to act within 30 days after receipt of notice. Makes misdemeanor erection of prohibited outdoor advertising and authorizes SHC to seek injunctive relief in county superior court of situs to require conformance or removal. Requires all zoning authorities to give written notice by registered mail within 15 days after effective date to SHC of revisions of commercial and industrial zones within 660 feet of covered highways. Authorizes SHC to keep maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas (as defined) and to establish information centers at such areas and install signs on right of way for purpose of informing public of facilities for food, lodging and vehicle services and of places of interest and other desirable information. Authorizes SHC to agree with other governmental authorities relating to control of outdoor advertising in areas adjacent to covered highways including establishment of information centers and safety rest areas. Authorizes SHC to regulate outdoor advertising in accord with Act by acquisition by purchase, gift, or condemnation of easements or other interests in real property prohibiting or controlling erection and maintenance of advertising within covered areas. Provides that SHC not required to expend any funds under Act unless federal funds made available.] To Roads.

HB 1196 - Introduced by Britt of Johnston

"To amend G.S. 105-340(a) to define taxpayer as including husband and wife owning property as tenants by the entirety." [As title indicates; GS 105-340(a) relates to date tax lien attaches for property and poll taxes.] To Judiciary 2.

HB 1197 - Introduced by Rountree and Forbes

"To amend G.S. 147-50 so as to provide for the distribution of certain State publications to East Carolina College." [Amends cited act to add East Carolina College to list of those entitled to receive printed reports, bulletins, maps or other publications issued by State departments, institutions, or agencies, and to specify that ECC shall be entitled to two copies thereof.] To Finance.

HB 1198 - Introduced by Short and others

"Relating to sick leave of certain officials and employees in the offices of the clerks of the superior court." [Provides that all assistant clerks, deputy clerks, and all other employees of clerks of superior courts who are heretofore or hereafter changed in status from county officials or employees to State officials or employees by reason of enactment of GS Chapter 7A may transfer sick leave accumulated as county official or employee, not exceeding earned sick leave totaling 30 work days, and State Personnel Department shall treat leave time so transfered as if earned as State official or employee.] To Courts and Judicial Districts.

HB 1199 - Introduced by Stewart

"To provide supplemental construction grants funds for the North Carolina Community College System." [Appropriates to State Board of Education $5,345,000 for use as grants-in-aid -- on matching basis with local funds as established in GS 115A-18(1) -- to supplement basic construction grant for GS 115A-18(1) (community college financial support) institutions. Grants made under Act to be for construction, purchase, or renovation, and initial equipment of technical, educational and administrative buildings, including utilities, walks, drives and parking areas; priority of need determined by Ed. Board on formula which includes projection of peak student load, past experience, and space requirements projections, a reasonable average facility cost determined by Ed. Board, less facilities already available, and less funds available to institution from sources other than State.] To Appropriations.

HB 1200 - Introduced by Ramsey of Person

"To amend Subsection (c) of G.S. 20-124 pertaining to brakes on motor vehicles." [Rewrites GS 20-124(c) to provide that every motor vehicle (now, every motor vehicle other than motorcycle or motor-driven cycle) when operated on a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, and shall have all originally equipped brakes in good working order, including two separate means of applying the brakes. If these two separate means are connected they shall be constructed so that failure of one part of operating mechanism shall not leave vehicle without brakes. Eliminates clauses of preceding provisions requiring their application to at least two wheels. (Note: this bill does not affect the immediately following subsection (d), which requires that motorcycles and motor-driven cycles be equipped with at least one brake.)] To Highway Safety.

HB 1201 - Introduced by Andrews

"To rewrite Article 10A, Chapter 153 of the General Statutes of North Carolina, known as the County Capital Reserve Act." [Rewrites GS Chapter 153, Art. 10A to provide that governing body of any county may establish by resolution a capital reserve fund. Resolution shall state: (1) purpose for which fund created, which may be any purpose for which counties may issue bonds, (2) approximate periods during which moneys (and amounts) are to accumulate for each purpose, (3) source for each purpose. Such resolution effective 10 days after filing with Director of Local Government. Resolution may be amended to, among other things, change use of funds accumulated or to be accumulated to any other purpose for which county may issue bonds. In lieu of establishing fund, board may establish capital reserve account(s) in one or more existing funds. Fund may be funded by

transfer of money or investment securities from capital reserve appropriation in general fund, by transfer of moneys or investment securities from special purpose tax funds or funds for which voter approved taxes for non-necessary expenses have been levied. Fund balances may be deposited at interest or invested as provided by GS 159-28.1 (a new statutory section proposed by HB 1025-SB 499). Withdrawals to be authorized by resolution of county board, effective 10 days after filing with Director of Local Government. Withdrawal must be for purpose specified in resolution establishing fund, as the same may be amended; no withdrawal shall be made requiring expenditures or transfers for purposes for which adequate balance is not then available in fund. Act is supplemental to other authority relating to capital reserve funds and specifically does not apply to funds established under GS Chapter 163, Art. 10B (capital public health and mental health center reserve funds) or GS 115-80.1 through GS 115-80.5 (county school capital reserve funds).] To Finance.

HB 1202 - Introduced by Bunn

"To amend Chapter 62 of the General Statutes to conform with the judicial review procedure provided in the Act creating the North Carolina Court of Appeals." [Deletes from GS 62-90 (Right of appeal from NC Utilities Comm'n) portions relating to appeal to Superior Court and Supreme Court rendered obsolete by passage of HB 87 (digested in Bulletin No. 9, page 81; identical with SB 42; effective July 1, 1967) with created GS 7A-29 providing for direct appeal of right to Court of Appeals. Adds to GS 62-90 (to conform to GS 7A-29) procedure for appeal to Court of Appeals including time period for service of various papers and procedures for agreeing to or settling case on appeal. Conforms GS 62-92 (parties on appeal GS 62-95 (relief pending review on appeal), GS 62-98 (peremptory mandamus to enforce order), GS 62-300(a)(1)(appeal fees) to reflect appeal to Court of Appeals rather than to Superior Court. Amends procedure under GS 62-96 for appeal to Supreme Court by providing that any party may file motion for review to Supreme Court of Court of Appeals decision under GS 7A-31 (enacted this session; providing for Supreme Court review of Utilities Commission orders on certification of Court of Appeals before or after hearing at that level) and GS 7A-30 (enacted this session; providing for appeals as of right from Court of Appeals to Supreme Court in cases involving substantial Constitutional question, in which there is a dissent, or involving general rate-making). Provides form for title of appeal docketed in GS 62-91; provides that appeals from Utilities Comm'n pending in superior courts on Sept. 30, 1967 to remain on such calendar but be given priority over other civil actions. Effective October 1, 1967.] To Courts and Judicial Districts.

HB 1203 - Introduced by Britt of Johnston and Whitley

"To provide for demand for notice of foreclosure of mortgages and deeds of trust on real property." [Adds new article 2D, entitled "Demand for Notice of Foreclosure" to GS Chapter 45 to provide that any person claiming security of lien upon or interest in real property included in prior mortgage or deed of trust recorded in State may register demand for notice of sale of realty and then be entitled to notice of foreclosure. Form specified for affidavit demanding notice. Such affidavit to be registered in manner of a deed in office of register of deeds in county in which property located, along with copies addressed for mortgagee or trustee and beneficiary thereof or their assignees or substitutes; fee of $5 for benefit of mortgagee or beneficiary, and necessary postage. Register of deeds shall mail copies and fee and note same on record of demand for notice. Demand for notice shall be valid for five years from date of registration and upon expiration may be renewed.

When sale of realty is held pursuant to foreclosure and demand for notice of sale has been registered and mailed, copy of notice of sale and resale shall be mailed to person named in demand no later than 30 days prior to sale or 15 days prior to resale. Failure to mail notice shall not effect validity of sale or resale or title of any purchaser, but any person entitled to have notice shall have cause of action against mortgagee or against trustee or beneficiary of deed

of trust, or both. Amends GS 1-339.17 and GS 45-21.17 (relating to notice of sale of real property) to add reference to demand for notice of sale, as provided by act, to listing of types of notice. Effective October 1, 1967.] To Judiciary 2.

HB 1204 - Introduced by Britt of Johnston and Whitley of Guilford

"To change the requirements for showing a deed absolute to be intended as security." [Adds to GS Ch. 45 (as Article 1A) provision that deed, bill of sale or other transfer of real or personal property, absolute on its face, to have legal effect of mortgage or other security instrument if it is shown to have been intended by the parties as such; no showing that defeasance omitted by reason of ignorance, mistake, fraud, or undue advantage required. Provides that intent of instrument was for security must be proved by clear and convincing evidence, parole or otherwise, of facts inconsistent with absolute transfer; oral declarations of parties alone not sufficient. Provides that where absolute deed, bill of sale or other transfer coupled with physical possession by grantee, parole evidence alone not sufficient to establish security interest unless grantor proves transfer obtained by fraud. Act not to affect rights of bona fide purchasers for value from absolute grantee where they are without notice of intent to create security interest. Effective October 1, 1967.] To Judiciary 2.

HB 1205 - Introduced by Britt of Johnston and Whitley of Guilford

"To amend GS 1-440.23, GS 1-440.24, and GS 1-440.25, relating to the garnishment of the contents of safe deposit boxes and other locked receptacles." [Amends GS 1-440.23 (form of summons to garnishee) to provide that form include requirement that reply show whether at any time between service of summons and answer garnishee had under his control, with power to prevent defendant's access, safe deposit box or other locked receptacle in which defendant could place, keep, or store property. Amends GS 1-440.24 (form of notice of levy) to include in notice reference to levy on contents of safe deposit box or of any other locked receptacle in custody with power to prevent defendant's access. Adds to GS 1-440.25 (levy on property in garnishee's possession) provision that when levy relates to contents of safe deposit box in bank or trust company or to contents of any locked receptacle in custody of one other than defendant, with power to prevent access by defendant, procedure for garnishment to be as for other property in hands of garnishee except: (1) garnishee shall after garnishment and on demand by officer furnish or cooperate in furnishing access to box or receptacle; (2) in case of inability to gain access within seven days after levy by reason of lack of cooperation, officer shall after advancement of costs thereof by plaintiff cause opening of box or receptacle by reasonable means; (3) sheriff shall inventory contents of box or receptacle as for attachment and require custodian to secure and continue to hold items inventoried subject to order of court pending judgment in principal action, failure to do so to result in continued liability of garnishee to plaintiff per GS 1-440.31; that,pending judgment in principal action, court may, upon motion and giving of adequate security by plaintiff, defendant, or garnishee, direct that property inventoried be otherwise held and safeguarded. Effective October 1, 1967.] To Judiciary 2.

HB 1206 - Introduced by Godwin of Gates and others

"To prescribe conditions precedent to the granting of permission for out of state attorneys to practice in the General Court of Justice." [Adds new GS 84-4.1 setting forth conditions under which attorney admitted to practice in another state may, on motion, represent client in NC General Court of Justice. Conditions precedent are: motion to court setting out name, address and status as practicing attorney in another state; client's statement attached indicating that he has retained attorney; attachment that moving attorney will represent client throughout proceeding unless earlier excused by court and agreement by attorney to submit to orders and discipline of court as if licensed in NC; attachment showing that state in which attorney admitted has reciprocal provision for practice of members of NC Bar on individual case basis; attachment indicating

association with resident attorney admitted to NC practice who will appear personally and upon whom effective service may be had in all matters concerned with proceeding. Action on motion in discretion of Court; permission granted may, similarly, be summarily revoked.] To Judiciary 2.

HB 1207 - Introduced by Tart

"For a supplemental appropriation to the Department of Conservation for forest fire control purposes in Sampson County." [Appropriates to Forestry Division of Department of Conservation and Development from General Fund $31,762 and $4,893 for fiscal years 1967-68 and 1968-69, respectively, to be used for forest fire control in County, particularly for equipment, employees, and operation and maintenance of medium fire-lane plowing unit. Effective July 1, 1967.] To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1208 - (Ashe) Introduced by Barr

"To authorize the Ashe County Board of Education to convey certain property to the Town of Jefferson." [As title indicates; property described by metes and bounds with conveyance to provide reversion if town ever fails to use property for proper public prupose.] To Education.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SR 54 - (Joint Resolution) Civil service study commission, (Senate committee substitute, 4/5). Reported unfavorably.

SB 180 - Auto property damage claims, (House committee substitute 4/24). Passed second and third readings.

SR 268 - (Joint Resolution) Boat capacity marking. Passed second and third readings.

SB 272 - Loan association investments, as amended in Senate 5/18. Passed second and third readings.

SB 292 - Omnibus court amendments, as amended in Senate 5/22. Passed second reading.

SB 415 - City boundary fishing. Passed second and third readings.

SB 416 - Private school driver training, (Senate committee substitute 5/22). Reported favorably.

SB 469 - Industrial Commission appeals, as amended in Senate 5/19. Amendment adopted making technical change. Passed second and third readings.

SB 470 - Tort claim appeals, as amended in Senate 5/19. Passed second and third readings.

HB 171 - Offspring car tort recovery. Failed to pass third reading.

HB 333 - Motorcycle safety gear, (House committee substitute 4/18), (Senate committee substitute 5/25). Floor amendment adopted to delete exemption from coverage by act of streets or highways within limits of incorporated cities and towns. Passed third reading.

HB 401 - Rules of Civil Procedure. Amendments adopted as follows: (1) To amend GS 7A-258(f) to provide that, other than in situation covered by subsection, filing of motion to transfer shall not waive any rights under other motions or pleadings nor prevent filing of other motions or pleadings, except as provided in Rule 12. (2) To amend GS 7A-258(g) to add provision that in addition to motion to transfer allowed by subsection, a transfer may be sought in responsive pleading when permitted by Rules 7(b) and 12(b). (3) To substitute term "claim for relief" in lieu of "cause of action" in description of complaint in

action for libel or slander. (4) To eliminate reference to $3 costs in section on form of entry of confession of judgment. (5) To amend Rule 47 to provide that inquiry as to fitness and competency of any person to serve as juror and challenging of such person shall be as provided in GS Chapter 9. (6) To delete provision of act relating to questioning of jurors without challenge. (7) To provide that effective date of act shall be July 1, 1969 (originally, July 1, 1968). Passed second and third readings.

HB 616 - Charitable immunity no defense. Passed third reading.

HB 624 - Trout water impoundments, (House committee substitute 5/30). Passed second reading.

HB 646 - State retirement system change. Reported favorably as to committee substitute. Committee substitute adopted deleting provision (amendment to GS 135-4(f)) allowing credit for prescribed military service to members retiring after 7/1/67 with 10 years' service or more; adds to death benefit section of original bill provision limiting maximum death benefit to $15,000 (original bill provided only that death benefit equal compensation of member during year preceding death--which could have exceeded $15,000 maximum); adds new section setting forth table with sliding scale exclusion from death benefit of members, despite otherwise being eligible for benefit, who after December 31, 1968 (sliding up in annual steps to December 31, 1973) are age 70 (sliding down in annual steps to 65), but permits Board of Trustees to investigate, and make contract purchases of, insurance arrangement to provide comparable death benefit provisions for those excluded; deleting rewrite of GS 135-18.1(a) and repeal of GS 135-18(d); adding in GS 135-3(3) to original bill (additions to those who may elect to leave accumulated contributions to State System) members of NC State School Boards Association; increasing original bill requirements for automatic termination of membership of person becoming member after July 1, 1967 from period of seven years absence in any eight consecutive year period since commencing membership, to 10 year absence period in any 11 year period, and changing date from which period of absence may be computed from July 1, 1957 to January 1, 1962.

HB 771 - Half-pint liquor. Reported unfavorably.

HB 931 - Livestock markets revision, as amended in House 5/26. Passed third reading.

HB 1030 - NC burial ass'n commission. Reported favorably.

HB 1033 - Proof of insurance repeals. Reported favorably.

HB 1046 - Driver license fee increase. Reported favorably.

HB 1047 - Owl & hawk protection. Passed second and third readings.

HB 1049 - Wild turkey taking fine. Passed second and third readings.

HB 1071 - Uniform member benefits. Reported favorably.

HB 1111 - State highway claims. Passed second and third readings.

HB 1154 - Insurance fraud penalty. Reported favorably.

LOCAL BILLS

SB 329 - (Brunswick, New Hanover) Land from ocean, as amended in House 5/23. Amendment adopted removing references to use of land built up from ocean as streets and highways and for development and use as public square or park (with amendment, bill would require only that it be kept open for use of public as governing authorities determined), and providing that no streets or highways shall be constructed parallel to ocean on such land. Passed.

SB 504 - (Lee) Sanford ABC supervisor salary. Passed.

SB 522 - (Nash) County list takers. Passed.

HB 567 - (Mecklenburg) Charlotte planned streets, (House committee substitute 5/30). Passed.

HB 884 - (Vance) Henderson Charter revision. Amendment adopted authorizing Henderson City Council to require underground placement of all wires, cables and conduits when public convenience requires it (original bill gave authority to require such placement and provided that "finding that the public convenience and necessity requires them to be underground by the city council shall be conclusive"); and deleting proviso that applies charter provisions on franchises to all franchises granted by City and supersedes conflicting jurisdiction of State Utilities Commission. Passed second reading.

HB 1000 - (Macon, Clay) Hog protection. Passed.

HB 1008 - (Mecklenburg) Officials' salary raise. Passed.

HB 1013 - (Halifax) Commissioners tenure election. Passed.

HB 1053 - (Greene) Snow Hill officials. Passed.

HB 1054 - (Greene) County officials salary. Passed.

HB 1055 - (Greene) School board election. Passed.

HB 1057 - (Mecklenburg) Charlotte charter revision. Passed.

HB 1058 - (Mecklenburg) ABC profits. Passed.

HB 1118 - (Randolph) Validating JP acts. Amendment adopted to provide that acts of W.C. Craven as justice of peace during stated period are "declared to have same force and effect his said official acts as a Justice of the Peace would have had if he had not accepted another public office while serving as a Justice of the Peace" (originally, "validated and declared to be legal and binding" official acts during stated period). Passed.

HB 1131 - (Robeson) Fairmont primaries. Passed.

HB 1132 - (Robeson) Public drunkenness penalty. Passed.

HB 1150 - (Mecklenburg) County recorder arrest fee. Passed.

HB 1151 - (Mecklenburg) Charlotte recorder arrest cost. Passed.

HB 1165 - (Lee) Sanford aldermen salaries. Passed.

Next session of House: 11:30 a.m., Thursday, June 1, 1967.

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P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 82

Thursday, June 1, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 583 - Introduced by Moore
"For the establishment of an Alcoholic Rehabilitation Center in Mecklenburg County." [Appropriates $1,000,000 from proceeds of 5¢ price increase of alcoholic beverages to be collected during 1967-69 biennium by State ABC Board for purpose of creating and establishing alcoholic rehabilitation center in Mecklenburg County; appropriation to be allocated to NC Department of Mental Health.] To Appropriations.

SB 584 - Introduced by Gentry
"Appropriating funds to the North Carolina Department of Agriculture for enforcing laws relating to the sale of apples and peaches." [Identical with HB 1217, digested in the House section of today's bulletin.] To Appropriations.

SB 585 - Introduced by Scott and Whitehurst
"To repeal G.S. 106-266.21 relating to sale of milk below cost." [Repeals cited section which generally prohibits sale of milk below cost for purpose of destroying competition.] To Agriculture.

SB 587 - Introduced by Simmons by request
"To require payment of registration fees for the registration of interstate vehicles operating into, from, within, or through North Carolina." [Amends GS 62-300 by adding following fees to those collected by NC Utilities Commission: $25 for filing with Comm'n of interstate motor carrier operating authority of every motor carrier operating into, from, within, or through NC and filed pursuant to GS 62-266 and $5 for filing amendments thereto; $1 for registration with Comm'n of each motor vehicle operated into, from, within, or through NC by interstate carriers and registered with Comm'n pursuant to GS 62-266 and 25¢ for annual re-registration. Effective November 15, 1967.] To Public Utilities.

SB 588 - Introduced by Simmons by request
"To amend G.S. 20-101 relating to the marking of motor vehicles used by franchised motor carriers and exempt for hire carriers." [Makes clarifying changes in GS 20-101 (vehicles to be marked) and adds exempt for-hire motor carriers to marking requirements; requires that all vehicles subject to marking have information printed on both sides (now, only one side) and adds to required information the certificate number, permit number, or exemption number. Effective November 15, 1967.] To Public Utilities.

SB 589 - Introduced by Simmons by request
"To amend G.S. 62-49 relating to publication of the Public Utilities Laws." [Amends cited section (publication of utilities laws) by authorizing Utilities Commission to secure publication (now biennial publication) of utilities laws and regulations, and publish biennial supplements and re-publications.] To Public Utilities.

SB 590 - Introduced by Bailey

"To amend Chapter 62 of the General Statutes to provide standards of public safety for interstate and intrastate natural gas pipelines located in North Carolina." [Adds new GS 62-50 providing that safety standards of cited chapter to apply to NC portion of interstate natural gas pipelines extending to, from, within or through NC in interstate commerce to same extent as provisions apply to intrastate pipeline companies and pipeline carriers operating under Utilities Commission franchise. Authorizes Comm'n to require that interstate companies and pipeline carriers operating in State and all intrastate natural gas utilities file with Comm'n reports of all accidents occuring in connection with operation and to report all accident prevention measures taken. Authorizes Comm'n, after notice and hearing, to order companies to make any improvements necessary to prevent accidents and to order any changes in operation or gas pressures to conform with recognized engineering standards for safe operation. Authorizes comm'n to require companies to furnish independent engineering reports showing pipelines in safe operating condition in conformity with recognized safety standards. Effective January 1, 1968.] To Public Utilities.

SB 591 - Introduced by Bailey

"To require minimum standards of security for protection of the public and minimum standards of highway safety for motor vehicles transporting passengers and property for hire under exemption from other provisions of the Public Utilities Act." [Adds new GS 62-260(f) providing that all motor carriers transporting passengers or property for compensation under exemption of GS 62-260(a)-(e) or under special exemption granted by Utilities Comm'n under GS 62-261 are subject to same requirements for security for protection of public and for safety, as regulated motor common carriers. Authorizes Comm'n to promulgate rules and regulations for enforcement of requirements in case of all exempt operations and to inspect exempt vehicles to apply regulations and penalties for their violation. Effective Feb. 15, 1968.] To Public Utilities.

SB 592 - Introduced by Bailey

"To amend G.S. 20-87 to delete provision for license of excursion passenger vehicles." [Amends GS 20-87(3) by striking out caption "For Hire Passenger Vehicles" and substituting therefor "Contract Carrier and Exempt For Hire Passenger Carrier Vehicles" in section providing for vehicle registration fees. Repeals GS 20-87(4) providing for vehicle registration of excursion passenger vehicles.] To Public Utilities.

SB 593 - Introduced by Byrd

"Amending Article 49D of Chapter 106 of the General Statutes relating to compulsory poultry inspection." [Amends GS 106-549.65 to make it unlawful for any person to put stamps, tag or paper giblet wrapping in, or upon carcass of poultry transported inter-county that has not been inspected in accord with GS Ch. 106, Art.49D (Compulsory Poultry Inspection). Rewrites GS 106-549.69 authorizing Comm'n to issue stop order for any poultry product transported inter-county without having been inspected according to GS Ch. 106, Art. 49D; order to be delivered to owner or person in charge of place where such poultry is sold, displayed, offered for sale or stored.] To Agriculture.

SB 594 - Introduced by Allsbrook and others

"To appropriate funds to East Carolina College so as to provide for an elementary educational laboratory school." [Identical with HB 1184, digested at page 792, Bulletin #80.] To Appropriations.

SB 595 - Introduced by Allsbrook and others

"To appropriate funds to East Carolina College to provide for the acquisition of equipment for the basic sciences." [Identical with HB 1180, digested at page 791, Bulletin #80.] To Appropriations.

SB 596 - Introduced by Allsbrook and others
"To appropriate funds to East Carolina College for data processing and computer center operations." [Identical with HB 1183, digested at page 791, Bulletin #80.] To Appropriations.

SB 597 - Introduced by Allsbrook and others
"To appropriate funds to East Carolina College for general institutional expenses relating to research and development." [Identical with HB 1185, digested at page 792, Bulletin #80.] To Appropriations.

SB 598 - Introduced by Allsbrook and others
"To appropriate funds to East Carolina College for library purposes." [Identical with HB 1182, digested at page 791, Bulletin #80.] To Appropriations.

SB 599 - Introduced by Allsbrook and others
"To appropriate funds to East Carolina College to improve its program for organized research." [Identical with HB 1181, digested at page 791, Bulletin #80.] To Appropriations.

SB 600 - Introduced by Morgan
"To appropriate $250,000 to promote the development of district confinement facilities." [Identical with HB 1227, digested in the House section of today's bulletin.] To Appropriations.

SB 601 - Introduced by Gilmore and others
"To appoint the North Carolina Wildlife Resources Commission as trustee to collect the rebate on gasoline taxes which are not claimed for rebate by individual motorboat owners." [Adds new GS 105-446.2 as follows: Provides that owners of vessels burning motor fuels on NC waters to lose all right to tax rebates unless timely application made per GS 105-446(1) (tax rebate on fuels not used in motor vehicles on highways). Provides that unclaimed rebates accrue to NC Wildlife Resources Commission (WRC) as trustee for boating public and that on basis of studies showing "a conservative figure" of total of such unclaimed rebates, WRC to receive (as to each accounting period per GS 105-446(1) at least 1/2 of 1% of net proceeds of taxes levied per GS 105-434 (gallon tax on motor fuels) and paid into Highway Fund during period. Defines "net proceeds" as entire tax collected less 1¢ per gallon nonrebatable tax required to be segregated per SL 1949, Ch. 1250 (Secondary Road Bond Act of 1949). Provides that for each accounting period ending in 1967 and 1968 portion of net proceeds to be 1/8 of 1%; for period ending in 1969 and 1970, 1/4 of 1%; and for subsequent periods, 1/2 of 1%. Requires Director of Tax Research to make detailed studies for submission to Governor and General Assembly before March 15, 1971 evaluating reliability of available statistics, trends, etc., for purpose of allowing decision as to whether 1/2 of 1% figure should be retained. Authorizes reduction or return of amounts paid to WRC if amounts paid adversely affect obligation of State per SL 1965, Ch. 46 (State Highway Bond Act of 1965), or if "conservatively estimated amount" of unclaimed rebates found to be excessive, and sets out procedures for such return or reduction. Spells out manner of payment to WRC and criteria Director of Department of Tax Research to employ in making study of whether the 1/2 of 1% figure is a fair estimate of unclaimed rebates.

Provides that payment to WRC be placed in special account within Wildlife Resources Fund, held per GS 143-250, and expenditure limited to following: (1) purchase, construction, maintaining, etc. facilities for use of water-borne traffic, connecting roads, parking areas, signs and markers, and related park and recreational areas for public; (2) purchase, construction, and maintenance of navigation aids and markers; (3) pro-rata cost of education and training of officers and employees of WRC with regard to administration of laws pertaining to (1) and (2) above; (4) pro-rata cost of law enforcement, safety education for public and general administration of laws pertaining to (1) and (2) above; and (5) purchase of hull

insurance on vessels owned or operated by WRC. Provides that Act not to reduce amounts from gasoline taxes for highway purposes and administrative expenses therewith below level of support provided as of June 18, 1934. Authorizes Comm'r of Revenue to make rules for implementing Act. Amends GS 105-445 (application of proceeds of gasoline tax) by conforming it to Act and clarifies section's relation to GS 136-41.1 (highway fund appropriations to municipalities). Effective July 1, 1967 with first disbursements from Highway Fund to WRC for accounting period beginning on that date.] To Wildlife.

SB 602 - Introduced by Henley and McGeachy

"Relating to subsistence and travel allowances of state officers and employees." [Identical with HB 1188, digested at page 792, Bulletin #80.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 582 - (Halifax) Introduced by Allsbrook

"To authorize the Roanoke Rapids Sanitary District in Halifax County, in its discretion, to provide for a retirement system or death benefits for its officers and employees." [As title indicates, authorizes creation of retirement system or system for death benefits, or both, for officers and employees of District rather than participating in Local Governmental Employees' Retirement System; District to carry total expense of program or to require employees and officers to bear portion of expense. District governing body to decide whether it shall create independent retirement system or pay premiums to purchase insurance or other contract; District authorized to prescribe regulations governing participation in program and eligibility for benefits.] To Local Government.

SB 586 - (Gaston) Introduced by Rauch

"To revise and rewrite the Charter of the Town of Bessemer City in Gaston County." [(1) Continues Bessemer City within present corporate limits and provides for corporate powers, including specific powers to purchase and operate local public utilities, furnish local services within and without city limits, regulate public utility franchises, exercise (excess) condemnation within and without corporate limits under GS Ch. 40 procedure, exercise 1-mile extraterritorial regulatory jurisdiction (including zoning), appropriate up to 10% of gross tax receipts for public facilities including parks and recreation facilities and hospitals and auditoriums, regulate junk yards and auto wreckers, require sewer connections, and require property owners to provide adequate drainage of property or install such drainage at owner's expense. (2) Provides for mayor and 6-member council to serve 2-year terms, with present officers continuing until 7/1/67; council to be elected from six defined wards by voters voting at large (but council may change to complete at-large system); nominations to be by filing of candidacy procedure with $5 filing fee. Spells out organization and procedures of council. Prescribes $300 annual salary for council members and $500 for mayor. (3) Authorizes council to appoint treasurer, tax collector, accountant, attorney, police and fire chiefs, recorder and vice recorder, solicitor and ass't solicitor and clerk of recorder court, and to appoint one person to two or more of such positions except recorder and solicitor. Authorizes council to appoint city clerk and deputy clerk. Also authorizes council to appoint city manager with duties as set forth by general law optional plan D (GS 160-349), except not to hire or fire city clerk, attorney, solicitor or police chief. (4) Prescribes purchase and contract procedures, audit requirements, oath, transitional provisions, reimbursement of official expenses, and savings clauses. Prescribes basis for dedication of privately owned water or sewer lines where connections made with city lines, and requires approval of city for all connections. Requires mayor to attend all meetings when possible and faithfully discharge duties. Authorizes council to adopt ordinances regulating air pollution within city or 1-mile extraterritorial area.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 18 - Income tax exemptions. Reported favorably.
SB 106 - Alimony revision. Reported favorably as amended.
SB 107 - Custody-support revision. Reported favorably as amended.
SB 108 - Civil actions, illegitimates. Reported favorably.
SB 170 - Vending machine tax exemption. Reported favorably.
SB 180 - Auto property damage claims, (House committee substitute 5/24). Received for concurrence in House committee substitute; passed second and third readings.
SB 208 - Intangibles tax deduction. Reported favorably.
SB 223 - Duct heating licensing, as amended in Senate 5/10. Reported favorably as to committee substitute. Committee substitute adopted which incorporates (engrosses) amendments of May 10 (Bulletin No. 66 at page 624).
SB 304 - State retirement system changes. Reported favorably as to committee substitute. Committee substitute adopted identical with committee substitute to HB 646 digested in the Calendar section of yesterday's House Bulletin at page 811.
SB 308 - Solicitor districts and duties. Reported favorably as amended; re-referred to Appropriations.
SB 400 - Marshland dredging. Reported favorably as to committee substitute. Committee substitute adopted which prefaces all reference to tidelands, beaches, waters, and marshlands with phrase "public-owned," and adds provision that parties aggrieved by decisions under Act may appeal per GS Ch. 143, Article 33.
SB 469 - Industrial Commission appeals, as amended in Senate 5/19. Received for concurrence in House amendment; concurred.
SB 478 - Beer and wine taxes. Reported favorably as amended.
SB 509 - Phase out mayor's court. Reported favorably.
SB 548 - Child care licensing (3). Reported favorably; placed on calendar for June 6.

HB 93 - Fuel tax rebate, as amended in House 3/10. Reported favorably.
HB 205 - Loose Leaf Registration. Reported favorably.
HR 262 - (Joint Resolution) Elderly tax burden study. Reported favorably.
HB 321 - Pay for aged care. Reported favorably.
HB 333 - Motorcycle safety gear, (House committee substitute 4/18), (Senate committee substitute 5/25), as amended in House 5/31. Received for concurrence in House amendment; concurred.
HB 401 - Rules of Civil Procedure, as amended in House 5/31. Received from House; Sent to Judiciary 1.
HB 427 - Foreign trusts intangible tax, as amended in House 4/26. Reported favorably.
HB 448 - Minimum tax refunds. Reported favorably.
HB 451 - Library, recreation taxes. Reported favorably.
HB 452 - Delinquent city taxes, as amended in House 4/21. Reported favorably.
HB 532 - Hospital district bonds, as amended in House 5/8. Reported favorably.
HB 539 - Tax foreclosure surplus, as amended in House 5/8. Reported favorably.
HB 616 - Charitable immunity no defense. Received from House; sent to Judiciary 2.
HB 656 - Tax penalty combat exemption. Reported favorably.
HB 814 - License examiner benefits. Vote by which passed second reading reconsidered; re-referred to State Government.
HB 857 - UNC Enterprises bonds. Reported favorably.
HB 917 - Advances on revenue bonds. Reported favorably.
HB 931 - Livestock markets revision, as amended in House 5/26. Received from House; sent to Agriculture.

HB 945 - Work release earnings, as amended in House 5/18. Passed second and third readings.
HB 1047 - Owl & hawk protection. Received from House; sent to Wildlife.
HB 1049 - Wild turkey taking fine. Received from House; sent to Wildlife.
HB 1111 - State highway claims. Received from House; sent to Judiciary 2.

LOCAL BILLS

SB 329 - (Brunswick, New Hanover) Land from ocean, as amended in House 5/23 and 5/31. Received for concurrence in House amendments; concurred.

HB 318 - (Macon) Delinquent taxes. Passed.
HB 567 - (Mecklenburg) Charlotte planned streets (House committee substitute 5/30). Received from House; sent to Local Government.
HB 704 - (Gaston) Belmont council salaries. Passed.
HB 713 - (Alexander) Officials salaries, as amended in House 5/11. Amended to delete House amendment which eliminated salary provision for sheriff. Passed.
HB 720 - (Rowan) Coroner's fees. Passed.
HB 721 - (Rowan) Officials' salaries. Passed.
HB 727 - (Columbus) Whiteville charter revision, as amended in Senate 5/18. Passed third reading.
HB 761 - (New Hanover) Wilmington planning. Passed.
HB 763 - (Ashe) Register of deeds fees. Passed.
HB 802 - (Rutherford) Mayor, comm'rs salaries. Passed.
HB 839 - (Dare) Kitty Hawk incorporation. Amended to change name of town from "Kitty Hawk" to "Kitty Hawk Woods." Passed second reading.
HB 862 - (Lincoln) Commissioner compensation (House committee subsitute, 5/23). Passed.
HB 880 - (Yadkin) Commissioners salaries. Passed.
HB 942 - (Scotland) Commissioners compensation. Passed.
HB 1000 - (Macon, Clay) Hog protection. Received from House; sent to Wildlife.
HB 1008 - (Mecklenburg) Officials' salary raise. Received from House; sent to Salaries and Fees.
HB 1013 - (Halifax) Commissioners tenure election. Received from House; sent to Judiciary 1.
HB 1053 - (Greene) Snow Hill officials. Received from House; sent to Local Gov't.
HB 1054 - (Greene) County officials salary. Received from House; sent to Salaries and Fees.
HB 1055 - (Greene) School board salaries. Received from House; sent to Salaries and Fees.
HB 1057 - (Mecklenburg) Charlotte charter revision. Received from House; sent to Local Government.
HB 1058 - (Mecklenburg) ABC profits. Received from House; sent to Local Government.
HB 1059 - (Burke) Extraterritorial zoning. Passed.
HB 1099 - (Brunswick) CPORA funds. Passed.
HB 1118 - (Randolph) Validating JP acts, as amended in House 5/31. Received from House; passed.
HB 1123 - (Wayne) Eureka single-shot voting. Passed.
HB 1124 - (Wayne) Eureka comm'rs pay. Passed.
HB 1131 - (Robeson) Fairmont primaries. Received from House; sent to Local Gov't.
HB 1132 - (Robeson) Public drunkeness penalty. Received from House; sent to Local Government.
HB 1150 - (Mecklenburg) County recorder arrest fee. Received from House; sent to Local Government.
HB 1151 - (Mecklenburg) Charlotte recorder arrest cost. Received from House; sent to Judiciary 1.
HB 1165 - (Lee) Sanford aldermen salaries. Received from House; sent to Salaries and Fees.

Next session of Senate: 10:00 a.m., Friday, June 2, 1967.

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BULLETIN NO. 82

Thursday, June 1, 1967

Session: House -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1209 - Introduced by Hamrick
"To provide two (2) additional copies of the Session Laws and the Supreme Court Reports to the North Carolina Attorney General." [Amends GS 147-45 to provide that the Attorney General shall receive 10 copies (now, 8) of the NC Session Laws and NC Supreme Court Reports upon publication and that 2 full sets of the Supreme Court Reports through vol. 268 shall be distributed to Attorney General.] To Judiciary 1.

HB 1214 - Introduced by Bunn
"To amend Chapter 62 of the General Statutes to provide standards for determining when a motor carrier franchise has become dormant and to authorize cancellation of the certificate or permit thereof." [Adds new subsection to GS 62-112 providing that failure of common or contract motor carrier to perform any transportation for compensation under its certificate or permit for period of 30 consecutive days shall be prima facie evidence that franchise is dormant and public convenience and necessity, or needs of a contract shipper, are no longer served. Upon finding of such hiatus of 30 days in service, NC Utilities Commission is authorized in proceeding brought on own motion or upon complaint of shipper or carrier, to find franchise dormant and cancel certificate or permit. Commission may consider factors affecting service (such as seasonal requirements of passengers or commodities, and disability of carrier). Franchise may be cancelled under act in any proceeding to sell or transfer or change control of franchise brought under GS 62-111, but carrier who has obtained authority to suspend operations not subject to cancellation during suspension period. Effective January 1, 1968.] To Public Utilities.

HB 1215 - Introduced by Bunn
"To amend G.S. 62-111 relating to the requirements for approval of the sale, transfer, merger, consolidation, combination or transfer of motor carrier franchises." [Adds new subsection to GS 62-111 providing that NC Utilities Commission shall approve applications for transfer of motor carrier franchises under section upon finding that transfer is in public interest, will not adversely affect service to public nor unlawfully affect service by other utilities, that transferee is willing and able to perform such service to public, and that franchised service has been continuously offered to public up to time of filing application, excepting authorized suspensions. Effective Sept. 30, 1967.] To Public Utilities.

HB 1216 - Introduced by Bunn
"To amend G.S. 62-260 to require that exempt for hire motor carriers register and secure certificates of exemption from the Utilities Commission." [Adds new subsection to GS 62-260 providing that owners of all motor vehicles used in any transportation for compensation which is declared exempt from regulation by NC Utilities Commission under GS 62-260 shall register with commission and secure a certificate of exemption.] To Public Utilities.

HB 1217 - Introduced by Auman and others
"Appropriating funds to the North Carolina Department of Agriculture for enforcing laws relating to the sale of apples and peaches." [Appropriates to NC Department of Agriculture, from General Fund, $17,000 during 1967-1969 biennium for enforcing provisions, as they relate to apples and peaches, of GS 106-188 (standards for farm product receptacles), GS 106-189 (sale

and receptacles of farm products for which grades or standards have been adopted) and GS 106-197 (placement of name of grower or shipper on receptacles). Effective July 1, 1967. Identical with SB 584.] To Appropriations.

HB 1218 - Introduced by Hutchins

"To authorize the Department of Motor Vehicles to purchase two helicopters." [Adds new GS 20-3.2 to authorize Department of Motor Vehicles to purchase, during 1967-1969 biennium, two helicopters of type suitable for air search and rescue and of size capable of being used as air emergency ambulance. Appropriates to Department, from Highway Fund, $140,000 for purchase of said helicopters.] To Appropriations.

HB 1220 - Introduced by McMichael

"Amending G.S. 44-49, relating to liens upon recovery for personal injuries, so as to require physicians, hospitals and others to furnish to attorneys representing the injured person certain medical records and reports." [Amends GS 44-49 (relating to liens upon recoveries for personal injuries to secure debts for medical attention) provision that physician, dentist, trained nurse, hospital or others having lien under act shall, as condition to creation of lien, furnish on request and without charge, to attorney representing claimant an itemized statement, hospital or medical report for use in negotiating settlement or trial of injury claim. Act not to affect any civil action filed prior to Sept. 1, 1967.] To Judiciary 1.

HB 1221 - Introduced by Stewart

"To increase benefits of former teachers and state employees who retired prior to July 1, 1963." [Amends GS 135-5 (pertaining to State service retirement benefits) to add provision that notwithstanding any other increases in benefits for persons retiring prior to July 1, 1963, monthly benefits shall be increased by $5.00 monthly, from and after July 1, 1967, for persons who were in receipt of such benefits prior to July 1, 1963. Effective July 1, 1967.] To Appropriations.

HB 1222 - Introduced by Stewart

"To provide investment counsel for the trust funds of the Teachers' and State Employees' Retirement System." [Amends GS 135-7 (pertaining to management of Teachers' and State Employees' Retirement trust funds) to add provision authorizing chairman of trustees of fund to appoint investment committee of five members, three of whom shall be members of trustees designated ex officio by chairman and two of whom shall not be members. Committee to be same as authorized by GS 135-7.2 (pertaining to authority to invest TSER funds in common and preferred stock). Investment committee to have such powers and duties as trustees may prescribe, including power to retain services of reputable investment counseling firm. Members to receive same per diem and allowances granted members of State boards generally. Effective July 1, 1967.] To State Personnel.

HR 1223 - (Joint Resolution) Introduced by Stewart

"Stating the intent of the General Assembly to provide more equitable retirement pension allowances for former teachers and State employees." [Resolves that: (1) pensions for former employees and teachers who retired with 12-20 years' service prior to July 1, 1942, and who were 65 or more on July 1, 1959, should be no less than $6 monthly per year of State service. (2) Combines retirement allowances and pensions for former system members retiring with 12-20 years' service after July 1, 1942, but before April 1, 1956, and who were 65 or more on July 1, 1959, should be no less than $8 monthly for each year of service. (3) Pensions for former members retiring with at least 12 years' service after Social Security benefits became payable in 1956 but prior to July 1, 1963, when Average Final Compensation Formula became effective, should

be added to present benefits in amount of $2 monthly for each year of service. Director of TSER to calculate appropriations necessary to provide these benefits and present this information to Retirement Committees "of this Legislature."] To State Personnel.

HB 1224 - Introduced by Bailey and others

"To amend G.S. 143-291 increasing the State's tort claim liability." [Amends GS 143-291 (relating to tort claims against State departments and agencies) to set maximum tort damages recoverable by one claimant against State at $15,000 (now, $12,000). Act effective July 1, 1967 and shall not apply to claims arising prior to that date.] To Judiciary 2.

HB 1225 - Introduced by McMillan of Wake

"To authorize the addition of 300 State Highway Patrolmen and to appropriate funds therefor." [Authorizes Department of Motor Vehicles to add 150 additional highway patrolmen in each fiscal year of 1967-69 biennium and appropriates to Department, from Highway Fund sums necessary to carry out act. Effective July 1, 1967.] To Appropriations.

HB 1226 - Introduced by Hunter of Mecklenburg and others

"To amend G.S. 24-8, eliminating the requirement for a corporation in certain cases." [Amends GS 24-8 (permitting corporations organized for pecuniary gain to agree to pay up to 8% interest on certain loans of $30,000 or more) to add "person, firm or corporation engaged in construction of structures or buildings for commercial occupancy" to those who may agree to loans authorized by section.] To Judiciary 2.

HB 1227 - Introduced by Johnson of Duplin and others

"To appropriate $250,000 to promote the development of district confinement facilities." [Appropriates from General Fund to Department of Administration for biennium 1967-69, $250,000: (1) To aid local governments or departments of State Government in development of district jails or district confinement facilities or district detention facilities for children subject to juvenile court jurisdiction, where facilities could serve two or more counties or an area of State. (2) To aid in development of pilot or demonstration jail programs designed to promote rehabilitation of offenders or develop new approaches to jail administration or provide higher quality jail personnel. Grants to be made under formula devised by Department, subject to approval of Governor and Advisory Budget Commission. Fund may be used to match or supplement moneys appropriated or made available by local governments or from other sources. Aided construction must meet minimum standards established by GS 153-52 (requiring jails to be heated) To Appropriations.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1210 - (Onslow) Introduced by Ragsdale

"To amend Chapter 1155 of the Session Laws of 1957, authorizing persons to engage in business as pawnbrokers in unincorporated areas of Cumberland County, so as to make said act applicable to Onslow County." [Amends cited act to make same applicable to Onslow County. Cited act modifies GS Chapter 91 (regulating pawnbrokers) as it applies to Cumberland County to: (1) Authorize county commissioners to issue and revoke licenses to pawnbrokers and require bonds; (2) Specify that licensing power of towns shall be only within corporate limits and that of county shall be only within area outside incorporated limits, and. (3) Require pawnbrokers to file in office of sheriff, if licensed by county, same information now required for filing in office of chief of police when licensed by municipality.] To Judiciary 1.

HB 1211-(Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones.

"To amend Chapter 378 of the Session Laws of 1959 relating to vacancies occuring on the Mecklenburg County Board of Education." [Rewrites SL 1959, Ch. 378, Sec. 6 as rewritten by SL 1961, Ch. 1114 to provide that vacancies on county board of education, other than by expiration of term, shall be filled by election at the first county-wide election occuring at least 60 days after vacancy occurs (now, such vacancies remain open until election to fill unexpired term at next regular biennial election). If such election is regular biennial election, a person shall be elected to fill unexpired term as provided elsewhere in chapter; but if not, procedures for filing and election shall be same as for regular biennial election except that only a plurality is required for election. If only one person files for election to vacancy he shall be certified by board of elections immediately after filing deadline. If two or more vacancies to be filled, person receiving highest number of votes shall fill vacancy with longest unexpired term. County commissioners may call special election to fill vacancies, to be announced at least 60 days in advance. If vacancy occurs because of death, total disability, change of legal residence from county, or appointment to a State-wide agency, board may fill such vacancy until next regular biennial election at which time unexpired term shall be filled as provided by law (now, may fill until next general election).] To Education.

HB 1212 - (Macon) Introduced by McGlamery

"Authorizing the Town of Highlands to convey certain real property at private sale." [Authorizes governing body of town of Highlands to sell and convey to U. S. Forestry Service at private sale without advertisement a parcel of land of 100 acres, more or less, specifically described.] To Counties, Cities and Towns.

HB 1213 - (Sampson) Introduced by Tart

"To amend G.S. 163-175(6) so as to prohibit single shot voting in the City of Clinton in Sampson County." [As title indicates, makes primary and general municipal elections in Clinton subject to single shot prohibition.] To Counties, Cities and Towns.

HB 1219 - (Lenoir) Introduced by Elliott and Horton

"To authorize the governing body of the Town of La Grange to establish a retirement or pension fund for employees." [Authorizes governing board of La Grange to establish retirement system for payment of benefits to its employees or beneficiaries for retirement because of age, disability, or death. Governing board may determine what officers and employees to include, amount to be contributed to system by town, share of costs to be born by employees, and extent to which benefits shall be based on prior service. System shall be maintained on solvent actuarial reserve basis, excepting present value of benefits based on prior service. Contributions required to cover cost of benefits based on prior service, if any, shall be sufficient to fund liability for such prior service in not more than 40 years from establishment of system. Governing board may provide for appointment of retirement board and delegate to it powers and duties to administer system; such board shall consist of one or more members of governing board, one or more employees covered by system, and one or more citizens of town not officially connected with town or system. Benefits may be paid under contractual arrangement between town governing board and other municipality, the State or federal government, and town governing board may contract with any insurance or other corporation for any service in connection with fund. Town or any party with whom it contracts may invest and reinvest funds in any securities or other investment authorized by state law for investment of assets of domestic life insurance companies. Act shall not prohibit town from providing Old Age and Survivors' Insurance, or Social Security coverage for officers and employees separately or in addition to fund authorized by act, or any other retirement or pension plan or fund authorized by general or special act.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 175 - Drilling and boring records, as amended in Senate 5/25. Received from Senate; sent to Roads.
SB 239 - Freely chosen podiatrists, as amended in Senate 5/25. Reported favorably.
SB 260 - Washington's statue. Reported favorably.
SB 292 - Omnibus court amendments. Passed third reading.
SB 380 - Motor vehicle inspection. Passed second and third readings.
SB 386 - ABC tax prohibition, as amended in Senate 5/25. Received from Senate; sent to Finance.
SB 388 - Plates of uninsured revocation. Received from Senate; sent to Insurance.
SB 398 - Lloyds insurance associations. Reported favorably.
SB 403 - Adoption residence requirement. Reported favorably.
SB 404 - Adoption consent, as amended in Senate 5/16. Reported unfavorably.
SB 410 - Counsel fees, insurance suits, as amended in Senate 5/31. Received from Senate; sent to Judiciary 2.
SB 440 - Unclaimed clothing changes. Received from Senate; sent to Judiciary 1.
SR 451 - (Joint Resolution) Barring insurer's advertising. Received from Senate; sent to Insurance.
SB 472 - Annual session amendment. Received from Senate; sent to Constitutional Amendments.
SB 475 - Insurance service charge. Reported favorably.
SR 506 - (Joint Resolution) Designating Flag Day. Reported favorably.
SB 550 - Agriculture notice. Received from Senate; sent to Agriculture.

HB 146 - Election law codification, as amended in House 5/16 and 5/17 and in Senate 5/31. Received for concurrence in Senate amendments; concurred.
HB 170 - Uniform Arbitration Act. Reported unfavorably.
HB 224 - Contradictory clause reading. Reported favorably; postponed to 6/6.
HB 286 - Corporate interest rates. Reported unfavorably.
HB 457 - Consumer finance amendments. Reported favorably.
HB 458 - Banking law amendments. Reported favorably as to committee substitute. Committee substitute adopted identical with committee substitute for SB 210 digested in calendar section of yesterday's Senate Bulletin at page 801.
HB 561 - Mental hospital lien, as amended in House 5/29. Floor amendments adopted decreasing limitation time during which action may be brought from ten years to three years and deleting provision for renewing lien. Passed second reading.
HB 562 - Mental hospital death lien. Floor amendment adopted decreasing time after patient's death during which action to enforce lien may be brought from ten years to three years. Passed second reading.
HB 604 - Epileptic drivers licensing, (House committee substitute 5/23). Passed second and third readings.
HB 624 - Trout water impoundments, (House committee substitute 5/30). Floor amendment adopted deleting portion of Act exempting US Army Corps of Engineers, TVA, other depts. of US Gov't, and NC public utilities under jurisdiction of NC Utilities Comm'n and providing public electric service from application of Act. Passed third reading.
HB 646 - State Retirement System change, (House committee substitute 5/31). Passed second and third readings.
HB 648 - Omnibus court amendments. Postponed indefinitely.
HB 753 - MD cancer report immunity. Passed second and third readings.
HB 903 - Motor vehicle inspections. Postponed indefinitely.
HB 936 - Pre-trial exam State witness. Reported favorably as to committee substitute. Committee substitute adopted to provide for pretrial examination of prosecution exhibits, specifically identified, or expert witnesses

(original bill, witnesses generally) by defendant in criminal cases before Superior Court (original bill, all criminal cases) by CSC or (new) any other person designated by appropriate judge for such purpose; adds provision that prior to order for pretrial examination accused to have made written request of prosecutor for State for specified pretrial examination and had such request denied or unanswered for more than 15 days; conforms Act throughout to pretrial examination of expert witness (as opposed to witnesses generally) limitation.

HB 963 - $2 check bounce fee. Reported unfavorably.
HB 982 - Authorizing COG's. Reported favorably.
HB 988 - Judgment notice. Reported favorably.
HB 1041 - Auto license denial and hearing. Passed second and third readings.
HB 1110 - Capitol restoration funds. Reported favorably; rereferred to Appropriations
HR 1113 - (Joint Resolution) Aging ad. val. tax. exempt study. Reported favorably.
HB 1140 - School bus transport. Reported favorably.
HB 1145 - County courthouse-jail tax. Reported favorably.
HB 1146 - Local airport bond maturities. Reported favorably.
HB 1153 - Kiddy-ride privilege tax. Reported favorably as amended.

LOCAL BILLS

SB 327 - (Polk) Columbus council elections. Passed.
SB 348 - (McDowell) Marion name, election changes. Passed.
SB 374 - (Union) Monroe school board election, as amended in Senate 5/22. Passed.
SB 375 - (Swain) Bd. of comm'rs powers. Passed.
SB 396 - (Cleveland) Comm'rs set officials fees. Passed.
SB 494 - (Cherokee) Officials salaries. Passed.
SB 526 - (Haywood) Canton ABC vote, as amended in Senate 5/25. Passed.
SB 558 - (Henderson) Amending SB 325. Passed.
HB 492 - (Caldwell) School board election. Reported unfavorably.
HB 743 - (Stanly) School board election. Passed.
HB 851 - (Lee) School board merger. Reported favorably as to committee substitute. Committee substitute adopted enlarging question to be submitted to electorate from question of consolidation of Lee County and Sanford City School Administrative Units to consolidation with county-wide supplemental school tax (not to exceed 30¢ per $100 valuation) in lieu of existing school tax for city administrative unit. Passage of bill makes election call permissive with county comm'rs (original bill, mandatory); in event of election call, revised form of ballot set out; in event of favorable vote at election, supplemental tax to be levied and collected beginning with fiscal year commencing July first next following election; in event unfavorably vote at election, city supplementary tax to remain in force. Deletes provision for interim board entirely (conforms entire bill appropriately) and sets April 1969 date for consolidated board to replace county and city boards (original bill, interim board came into being December 1967 with one-year tenure). Provides that county and city superintendents to continue administrative duties until June 30, 1969 (original bill, duties continued to December 1968 under interim board); provides that members of consolidated board take office first Monday in April 1969 (original bill, December 1968) and provides that title to all property subject to consolidation vests in consolidated board on consolidation date. Makes clarifying and conforming changes throughout Act.
HB 856 - (Orange) Chapel Hill planning area. Reported favorably as to committee substitute. Committee substitute adopted adding paragraph to existing extraterritorial planning and zoning boundaries section of Chapel Hill Charter which provides that at such time as Orange County Comm'rs and Chapel Hill Aldermen agree, Chapel Hill extraterritorial boundaries for such purpose may be extended to include territory described generally by substitute (original bill merely amended such extraterritorial boundaries, and described a different area than described by substitute).

HB 878 - (Wilkes) Walnut Cove church area dry. Amendment adopted reducing radial area around Walnut Grove Baptist Church within which sale or possession of alcoholic beverages for sale prohibited from two miles to one mile. Passed.
HB 881 - (Yadkin) School board election. Reported unfavorably.
HB 884 - (Vance) Henderson Charter revision, as amended in House 5/31. Passed.
HB 1122 - (Wayne) School board election. Passed.
HB 1129 - (Halifax) Enfield land sale. Passed.
HB 1130 - (Halifax) Enfield fire property sale. Passed.
HB 1138 - (Moore) School land sale. Passed.
HB 1160 - (Cleveland) Shelby aldermen salaries. Passed.

BILLS RATIFIED

SR 268 - (Joint Resolution) Boat capacity marking. [R 56]
SB 272 - Loan association investments, as amended in Senate 5/18. [Ch. 653]
SB 415 - City boundaryfishing. [Ch. 654]
SB 470 - Tort claim appeals, as amended in Senate 5/19. [Ch. 655]
SB 504 - (Lee) Sanford ABC supervisor salary. [Ch. 656]
SB 522 - (Nash) County list takers. [Ch. 657]

HB 200 - (Pamlico) Draftsman identification. [Ch. 658]
HB 916 - Hospital nonprofit corp. [Ch. 659]
HB 935 - Dependent child definition. [Ch. 660]
HB 1089 - (Durham) Misdemeanor punishment. [Ch. 661]

Next session of House: 9:00 a.m., Friday, June 2, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 83

Friday, June 2, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 603 - Introduced by Whitehurst

"To amend G.S. 105-295, relating to the appraisal of real property, land and buildings for ad valorem tax purposes, in order to make the uniform schedules of the values of such property as prepared by the county tax supervisor subject to the review and approval of the board of county commissioners." [As title indicates; to apply to all valuations and revaluations taking place on and after Jan. 1, 1968.] To Finance.

SB 604 - Introduced by Bridgers

"To amend G.S. 45-18, relating to the validation of certain acts of substituted trustees." [Amends cited statute to change from Feb. 1, 1963 to April 1, 1967 time before which acts of trustee substituted in deed of trust are validated.] To Judiciary 1.

SB 605 - Introduced by Allsbrook

"To appropriate additional funds to the State Board of Education for the North Carolina Community College System." [Appropriates to State Board of Education for Community College System from General Fund for 1967-69 biennium in addition to those recommended by Governor and Advisory Budget Comm'n $15,540,153 for operating expenses and equipment as designated below:

Code 18062

Item			
1. Expand new industry program	$ 150,000	$ 150,000	$ 300,000
2. Reduce overall teacher-student ratio in institutions from 1-22 to 1-18	2,407,466	3,156,112	5,563,578
3. New technical and vocational programs in existing institutions	575,560	874,513	1,450,073
4. Four additional new extension units	454,356	487,466	941,822
5. Training program for prison inmates	209,116	191,660	400,776
6. Salary increases and adjustments for faculty and staff of institutions	830,656	556,531	1,387,187
Total Code 18062	$4,627,154	$5,416,282	$10,043,436

Code 18057

7. Necessary equipment to bring existing educational programs and facilities up to approved standards	$1,871,333	$1,205,994	$ 3,077,327

8. Necessary equipment for new vocational and technical programs in existing institutions	1,415,245	619,157	2,034,402
9. Necessary equipment for new extension units	361,176	23,812	384,988
Total Code 18057	$3,647,754	$1,848,963	$ 5,496,717
Total Codes 18062 and 18057	$8,274,908	$7,265,245	$15,540,153

Further appropriates to Board, $11,246,650 from General Fund for 1967-69 biennium, in addition to funds recommended by Governor and Advisory Budget Comm'n, for construction and capital improvements in the Community College System which are to be allocated by Board on equitable formula.] To Appropriations.

SB 607 - Introduced by Currie and Matheson

"To enact the Interstate Mining Compact." [Enters into cited compact with all other jurisdictions legally joining therein as follows: Recites purposes of compact, generally to protect, conserve and improve usefulness of natural resources to foster most desirable conduct of mining and reduction or elimination and counteracting of pollution or deterioration of land, water and air attributable to mining. Each state agrees to formulate effective program for conservation and use of mined land by establishment of standards and enactment of laws to: protect public and landowners from damage to their lands and structures resulting from mining or abandonment or neglect of land and property formerly used for mining; for conduct of mining and handling of refuse and other wastes in ways to reduce adverse effects on economic, residential, recreational or aesthetic value and utility of land; adopt suitable programs for adaptation, restoration and rehabilitation of mined land; and prevent, abate and control water, air and soil pollution resulting from mining.

Creates as agency of party states "Interstate Mining Commission" composed of Governors of each member state. Provides that pursuant to NC law Governor to have assistance of advisory body (representing varied public and private interests - see below) in considering problems relating to mining and discharging his duties as Comm'r. Sets out organization and procedures of Comm'n. Provides that Comm'n make annual report to Governor, legislature and advisory body of each member state. Grants Comm'n following powers: study mining operations for effects on land, soil, water, air, plant and animal life, recreation and patterns of community or regional development or change; study conservation, adaptation, improvement and restoration of land and related resources affected by mining; make recommendations concerning any relevant aspect of law or practice and governmental administration; gather and disseminate information; cooperate with federal government and interested public or private entities; consult, upon request of member state and within resources available therefor, with officials of such state; study and make recommendation with respect to any practice, process, technique, or course of action that may improve efficiency of mining or economic yield from mining operations; study and make recommendations relating to safeguarding of access to resources which are or may become subject of mining operations so that needs of economy for mining products may not be adversely affected by unplanned or inappropriate use of land and other resources containing minerals or connected with actual or potential mining sites. Authorizes Comm'n to establish advisory and technical regional committees. Provides for financial assistance to Comm'n from member states with regard to value of state's minerals, ores and other solid matter mined. Specifies budgetary procedures and manner of submission to member states. (Cost shares to be based one-half on equal shares and one-half on mineral resources). Provides Compact effective when enacted by four or more states; specifies that state may withdraw by repealing Compact with withdrawal effective one year after Governor gives notice to governors of other states.

Establishes "Mining Council" (advisory group required by above Compact) in Governor's office; members not to receive salary but receive compensation for actual expenses. Council composed of eleven members as follows: State Geologist;

Chairman of Laboratory Advisory Committee of NC State University Minerals Research Laboratory; Chairman of Mineral Resources Committee of Board of Conservation and Development; three appointed by Governor who represent mining industries; three appointed by Governor who represent nongovernmental conservation interests; one Senator appointed by Lieutenant Governor; and one Representative appointed by Speaker. Four and two appointees of Governor to serve four and two year terms respectively. Appointees of Lieutenant Governor and Speaker to serve two year terms. All terms to commence July 1, 1967.] To Conservation and Development.

SR 608 - (Joint Resolution) Introduced by Kemp

"Creating the Tax Study Commission to study the revenue structure of the State of North Carolina and to make recommendations to the Governor and the 1969 General Assembly." [Identical with HB 1230, digested in the House section of todays bulletin.] To Finance.

SB 609 - Introduced by Whitehurst

"To amend GS 105-405.1 relating to the refund of taxes illegally collected." [Amends cited section to provide that city or county governing body may refund to taxpayer making written demand within eight (now two) years after due date, taxes illegally collected or assessed or funds required to be paid through clerical error.] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

SB 606 - (Durham) Introduced by Currie

"To provide for the decrease in area of rural fire protection districts in Durham County upon petition of a majority of property owners." [Modifies GS 69-25.11(2) as to Durham County to provide that area of fire protection district may be decreased by removing therefrom any territory upon application of owners of territory to be removed and approval of county Comm'rs (under general law, unanimous recommendation in writing of fire protection comm'rs of said district, and approval of majority of members of board of directors of corporation furnishing fire protection to district also required).] To Judiciary 1.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 18 - Income tax exemptions. Passed second and third readings.

SB 106 - Alimony revision. Amended to delete from GS 50-16.9(b) conditions under which dependent spouse receiving alimony under court order may continue such support upon remarriage; as amended, marriage will terminate alimony. Adds to GS 50-11(c) provision that absolute divorce obtained by dependent spouse in action initiated by such spouse on ground of separation for statutory period shall be basis for impairment or denying spouse alimony and other rights provided under judgment or decree of court before or at time of rendering of absolute divorce judgment. Makes technical change. Passed second and third readings.

SB 107 - Custody-support revision. Amended to add new GS 50-13.8 making rights of person mentally or physicallyincapable of self-support upon reaching majority same as those of minor child as long as he remains mentally or physically incapable of self-support. Passed second reading. Postponed to June 7.

SB 108 - Civil actions, illegitimates. Postponed to June 5.

SB 170 - Vending machine tax exemption. Passed second and third readings.

SB 208 - Intangibles tax deduction. Passed second and third readings.

SB 210 - Banking law amendments (Senate committee substitute, 5/31). Amended to add new GS 53-62(e) authorizing bank to discontinue branch office or teller's window unpon resolution of board of directors or board of managers, filing certification with Comm'rs of Banks specifying location of branch office or teller's window and reasons for closing and indication that needs and conveniences of community would be adequately met, and approved by Comm'r of Banks who must hold public hearing if requested. Notice stating intention to discontinue branch or teller's windows to be published in newspaper serving community once a week for four consecutive weeks before certificate requesting discontinuance is filed with Comm'r of Banks. Further amended to amend GS 53-141(4) requiring notice as described above when industrial banks plant to discontinue branch offices. Passed second and third readings.

SB 223 - Duct heating licensing, as amended in Senate 5/10 (Senate committee substitute, 6/1). Passed second reading.

SB 304 - State retirement system change (Senate committee substitute, 6/1). Postponed to June 6.

SB 307 - Anti-litter act. Amended to apply to all vehicles (originally, to moving vehicles). Floor amendment adopted to delete from GS 14-429, provision making operator of vehicle prima facie liable for violation of act (throwing litter from vehicle). Passed second and third readings.

SB 400 - Marshland dredging (Senate committee substitute, 6/1). Postponed to June 7.

SB 476 - Minor's auto insurance. Amended to change from 16 to 18 age of minor who shall be competent to contract for automobile insurance, enter into agreement to finance such insurance, to execute power of attorney in connection with such financing, and to execute power of attorney in connection with application for insurance with assigned risk plan. Passed second and third readings.

SB 477 - Cancelled insurance premiums. Passed second and third readings.

SB 478 - Beer and wine taxes. Amended to add new section requiring manufacturers or bottlers inside or outside State manufacturing beverages to be sold to armed services in NC to identify beverages by placing on label, crown, can end or kegs "For Military Use Only." Floor amendment adopted to make lump sum excise tax payment subject to discretion of Commissioner of Revenue (now, such payment mandatory). Passed second reading.

SB 598 - Phase out mayor's court. Passed second and third readings.

SR 512 - (Joint Resolution) Pilot Mountain State Park. Passed second and third readings.

SB 528 - Insurance company acquired. Passed second and third readings.

SB 536 - Highway official titles. Passed second and third readings.

SB 538 - Bi-state road cooperation. Passed second and third readings.

SR 540 - (Joint Resolution) Country doctor study. Passed second and third readings.

SB 542 - Fraternal society benefits. Passed second and third readings.

SB 549 - Minor's divorce suits. Reported favorably.

SB 551 - Licensed ins. co. auto plates. Passed second and third readings.

SB 559 - Vessel pilots' license. Reported favorably.

SB 566 - Cities' travel expense payment. Reported favorably.

SB 601 - Motorboat gas tax allocation. Reported favorably; re-referred to Appropriations.

HB 93 - Fuel tax rebate, as amended in House 3/10. Passed second and third readings.

HB 118 - Clergmens' privilege. Reported favorably.

HB 205 - Loose leaf registration. Re-referred to Election Laws and Legislative Representation.

HR 262 - (Joint Resolution) Elderly tax burden study. Passed second and third readings.

HB 321 - Pay for aged care. Postponed to June 5.
HB 421 - National Guard auto plates, (House committee substitute, 5/24) as amended in House 5/25. Passed second and third readings.
HB 427 - Foreign trusts intangible tax, as amended in House 4/26. Passed second and third readings.
HB 448 - Minimum tax refunds. Passed second and third readings.
HB 451 - Library, recreation taxes. Passed second and third readings.
HB 452 - Delinquent city taxes, as amended in House 4/21. Passed second and third readings.
HB 456 - Education assistance changes. Withdrawn from Education; re-referred to Higher Education.
HB 465 - 7% interest rate, as amended in House 5/1. Reported favorably as amended.
HB 532 - Hospital district bonds, as amended in House 5/8. Passed second reading.
HB 539 - Tax foreclosure surplus, as amended in House 5/8. Passed second and third readings.
HB 582 - Official records distribution. Postponed to June 6.
HB 604 - Epileptic drivers licensing, (House committee substitute, 5/23.) Received from House; sent to Judiciary 1.
HB 609 - Interfamilial actions in State. Postponed to June 5.
HB 624 - Trout water impoundments, (House committee substitute 5/30), as amended in House 6/1. Received from House; sent to Wildlife.
HB 646 - State retirement system changes, (House committee substitute 5/31). Received from House; sent to Employment and Retirement Security. Withdrawn and passed second reading.
HB 656 - Tax penalty combat exemption. Passed second and third readings.
HB 699 - Garbage work by prisoners. Passed second and third readings.
HB 753 - MD cancer report immunity. Received from House; sent to Judiciary 2.
HB 847 - Sanitary district board pay. Passed second reading.
HB 857 - UNC Enterprises bonds. Passed second reading.
HB 912 - Wide load farm equipment. Passed second and third readings.
HB 917 - Advances on revenue bonds. Passed second and third readings.
HB 930 - Auto license tax payment, as amended in House 5/26. Passed second and third readings.
HB 969 - Small watershed changes, (House committee substitute, 5/26) as amended in House 5/30. Reported favorably; re-referred to Judiciary 1.
HB 1041 - Auto license denial and hearing. Received from House; sent to Judiciary 1.
HB 1047 - Owl and hawk protection. Reported favorably.
HB 1049 - Wild turkey taking fine. Reported favorably.

LOCAL BILLS

SB 314 - (Iredell) Tax discounts. Passed.
SB 371 - (Beaufort, Cabarrus, Forsyth, Gaston, Guilford, Johnston, Wake, Union) Animal abandonment. Reported favorably as to committee substitute. Committee substitute adopted adding Beaufort, Cabarrus, Forsyth, Gaston, Guilford, Johnston, and Wake counties to Union for making misdemeanor the abandonment of domestic animals on public highways, public places or property of another.
HB 509 - (Cabarrus) Jurors. Floor amendment adopted authorizing Cabarrus County Comm'rs to draw up to 48 jurors for each criminal or civil session of superior court during remainder of 1967 (originally, comm'rs to annually draw 70 jurors for first week of January session of superior court and up to 48 jurors for each criminal or civil session during the year.) Passed.

HB 743 - (Stanly) School board election. Received from House; sent to Education.
HB 839 - (Dare) Kitty Hawk incorporation. Amended in Senate 6/1. Passed 3rd reading
HB 859 - (Lincoln) Full-time registration. Passed.
HB 878 - (Wilkes) Walnut Grove church area dry, as amended in House 6/1. Received from House; sent to Propositions and Grievances.
HB 884 - (Vance) Henderson Charter revision, as amended in House 5/31. Received from House; sent to Counties, Cities and Towns.
HB 947 - (Orange) Chapel Hill transport. Passed third reading.
HB 1072 - (Pender) Jurors fees, as amended in House 5/26. Passed.
HB 1115 - (New Hanover) Recorder court solicitor. Passed.
HB 1122 - (Wayne) School board election. Received from House; sent to Education.
HB 1129 - (Halifax) Enfield land sale. Received from House; sent to Counties, Cities and Towns.
HB 1130 - (Halifax) Enfield fire property sale. Received from House; sent to Counties, Cities and Towns.
HB 1138 - (Moore) School land sale. Received from House; sent to Counties, Cities and Towns.
HB 1160 - (Cleveland) Shelby aldermen salaries. Received from House; sent to Counties, Cities and Towns.

Next sessions of Senate: 9:00 a.m., Saturday, June 3, 1967, for consideration of local bills only.

7:00 p.m., Monday, June 5, 1967.

#

BULLETIN NO. 83

Friday, June 2, 1967

Session: House -- 9:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1230 - (Joint Resolution) Introduced by Leatherman
"Creating the tax study commission to study the revenue structure of the State of North Carolina and to make recommendations to the Governor and the 1969 General Assembly." [Creates The Tax Study Commission consisting of nine members, three each appointed by Governor, Senate President, and House Speaker, to study NC revenue at both State and local levels to end that revenue system be stable, equitable and compare favorably with other states to attract business location and expansion. Commission to elect chairman and vice chairman from own membership with Director of Tax Research serving as non-member Secretary; with Governor's approval Comm'n to employ such staff and services as necessary. Comm'n members entitled to per diem and travel allowances provided for State boards generally; expenses of Comm'n borne by Contingency and Emergency Fund not in excess of $30,000. Revenue Comm'r and Director of Tax Research together with respective staffs to be available to Comm'n. Comm'n to submit report to Governor by September 1, 1968 for transmittal to Advisory Budget Comm'n and 1969 General Assembly. Identical with SB 608] To Rules.

HB 1231 - Introduced by McMillan of Robeson and Britt of Robeson
"To provide for temporary detention of juveniles in special sections of jails." [Adds to GS 110-30 (relating to detention of children) provision that when judge determines that there is sufficient need for secure restraint of child, and that there are no other adequate facilities available, judge may order temporary detention of child in any section of jail (notwithstanding other provisions of GS 110-30) which is so arranged and maintained as to prohibit child from sight or conversation with adult jail inmates. Effective July 1, 1967.] To Judiciary 2.

HB 1232 - Introduced by High
"To amend GS 62-275 to authorize motor passenger carriers operating into union bus stations to establish separate ticket counters, baggage counters and package freight counters." [Amends second provision of GS 62-275 to provide that any carrier utilizing union passenger depot or station may, with Utilities Comm'n approval, (now, requires unanimous consent of all carriers utilizing depot as well) provide separate ticket sales counters, baggage counters and package express counters (law now allows carriers a wider range of services they may, with consent, perform independently, e.g. waiting rooms, baggage checking, rest rooms).] To Public Utilities.

HB 1233 - Introduced by Britt of Johnston
"To amend Chapters 160 and 153 of the General Statutes relating to subdivisions." [Revises various provisions of municipal (GS Ch. 160) and county (GS Ch. 153) subdivision control laws, making technical changes, and other changes as follows: GS 153-266.3. Adds authority for county subdivision control ordinance to require construction of community service facilities and post bond therefor. GS 153-266.4. Adds provision authorizing county comm'rs in subdivision ordinance to designate joint planning board rather than county planning board to approve subdivision plats.
GS 160-226.3. Authorizes municipal subdivision ordinance to provide for orderly development of subdivisions (Now, "within the corporate limits"). GS 160-226.4. Adds provision authorizing municipal legislative body to accept dedi-

cations of lands and facilities for public purposes.

GS 153-266.1 and 160-226. Authorizes municipalities with overlapping extraterritorial subdivision jurisdiction to agree on a different boundary line for their respective jurisdictions than established by present law (equidistant from each municipality); authorizes municipal legislative body to decline to exercise extraterritorial power over jurisdiction in another county or separated by barrier such as river or sound; clarifies basic subdivision powers conferred on both counties and municipalities as relating to regulation of the subdivision of land (now, of platting and recording of subdivisions). Adds to GS 153-266.3 and 160-226.3 provisions that municipal and county ordinances may require preparation, approval and recording of plats for all subdivisions. GS 153-266.6 and 160-226.5. Provides that any person who, in violation of county or municipal subdivision control ordinance, transfers or sells land by reference to subdivision plat, or "subdivides his land" (adds quoted words), without required approval and recording, is guilty of misdemeanor; broadens above provisions concerning reference to plat to include exhibition or other use of plat. GS 153-266.7 and 160-226.6. Amends definition of "subdivision" in municipal and county laws as division of land into parcels greater than ten (now five) acres.] To Judiciary 2.

HB 1234 - Introduced by Britt of Johnston

"To clarify the authority of municipalities to grant franchises for cable television services." [Adds new GS 160-2(6a) authorizing cities and towns to grant franchises up to 15 years for operation of cable television systems, to levy taxes on such, and to prohibit any such operation without franchise. Sets out areas of control that may be included in franchise, grants power to suspend or revoke same for failure to comply with terms, and defines "cable television system" as any system which, by means ofmaster antenna or wires and cables, receives, amplifies, modifies, transmits, or distributes any television, radio, or electronic signal, audio or video or both, to subscribing members of public, but not to include providing of master antenna service only to property owned or leased if no part of any public right of way or easement is used in providing such service.] To Judiciary 2.

HB 1238 - Introduced by Stanford

"To amend Article 5, Chapter 105 of the General Statutes of North Carolina to provide for the levy of a statewide, uniform one per cent (1%) surtax upon the sales, use, and other taxable transactions subject to the sales and use tax levied for State purposes and to allocate the proceeds of said surtax to the counties and municipalities of North Carolina." [Amends GS Chapter 105 to add a new division IX entitled "Local Government Sales and Use Surtax Act" providing, in addition to present 3% sales and use tax a tax at rate of 1% for distribution to counties and municipalities of State. Commissioner of Revenue shall collect and administer tax in same manner and subject to same rules as applicable to other sales and use tax and he shall distribute it quarterly on percapita basis to each county and municipality as determined by dividing revenue collected under act by total population of all counties plus total population of all incorporated municipalities, according to most recent federal decennial census, and multiplying the per capita figure thus derived by the population of each respective county and municipality according to most recent federal decennial census. Effective October 1, 1967.] To Finance.

HB 1240 - Introduced by Britt of Johnston

"To amend Chapters 153 and 160 of the General Statutes relating to county and municipal zoning." [Revises various provisions of municipal (GS Ch. 160) and county (GS Ch. 153) zoning enabling laws, making the following changes: GS 160-177. Revises provisions relating to municipal zoning agency (now referred to as "zoning commission") by authorizing municipal legislative body to appoint town or city planning board, or joint board, with duty to prepare zoning plan, to be certified to legislative body for consideration as basis for zoning ordinance. GS 160-181.2. Amends provision authorizing municipal legislative body to decline to exercise

extraterritorial zoning power over area separated by major physical barrier (now, "major natural physical barrier").

GS 153-266.17. Adds provisions authorizing county comm'rs to create board of adjustment larger than now provided (five members), appointed for 3-year terms or less; conforms four-fifths voting requirement on overruling administrative actions; members to be appointed from different areas, as far as possible, with at least one resident of each zoned area (if less than full county zoned); authorizes person acting as chairman of adjustment board to administer oaths to witnesses.

GS 160-172 and 153-266.10. Adds authorization for municipal and county zoning regulations to allow legislative body or adjustment board to issue special use or conditional use permits.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1228 - (Guilford) Introduced by Whitley

"To amend Chapter 144 of the Public-Local Laws of 1937, as amended, relating to the Civil Service Commission of the City of High Point." [Amends Pub.-Loc. 1937, Ch. 144 as amended by SL 1947, Ch. 841 to change from 18 to 12 months, period of probation of persons appointed or promoted to office or position with City of High Point by city manager during which probationer may be discharged or reduced at the will of city manager, upon recommendation of department head in which department probationer is employed.] To Judiciary 2.

HB 1229 - (Cumberland) Introduced by Bryan, O'Hanlon, Raynor and High

"Amending G.S. 67-31(1) relating to the powers of a dog warden so as to provide that in Cumberland County the sheriff and his deputies shall share the duty and responsibility of enforcing laws relating to dogs." [Modifies GS 67-31(1) (powers and duties of dog warden) as to Cumberland, by giving sheriff and deputies arrest power and responsibilities for enforcement of dog laws coequal with dog warden.] To Judiciary 2.

HB 1235 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones

"Amending the Urban Development Law relating to the City of Charlotte so as to permit disposition of land on bases other than the highest monetary bid, where such disposition is found to serve the best interest of the municipality." [Modifies GS 160-464(d) to provide that Charlotte Redevelopment Comm'n may reject highest responsible bid for redevelopment lands and accept a lesser bid when it finds that general public welfare and proper community development will be better served for any of following reasons: (1) accepted bid will result in greater assessed valuation for ad valorem taxation; (2) accepted bid will have substantially greater beneficial effect upon neighboring property, project area and community as whole; (3) accepted bid proposes land use which facilitates relocation of persons and firms displaced by redevelopment.] To Counties, Cities and Towns.

HB 1236 - (Carteret) Taylor, Suggs and Godwin of Craven

"To amend Chapter 130, Session Laws of 1967, relating to the appointment of members of the board of education in certain counties of North Carolina." [Amends SL 1967, Ch. 130, Sec. 1 by appointing Dick Parker to fill unexpired term of Harvey Hamilton, Jr. on Carteret Ed. Board.] To Education.

HB 1237 - (Orange) Introduced by Stanford

"To maintain certain tax liens of the Town of Carrboro." [Provides that lien for taxes levied by Town of Carrboro prior to 1967 on properties which were wholly or partially within Carrboro and wholly within Chapel Hill (by virtue of SL 1967, Ch. 411) to remain subject to Carrboro lien for taxes assessed prior to 1967. Carrboro to have right to enforce such lien by any methods now provided for collection of unpaid taxes within Carrboro town limits.] To Counties, Cities and Towns.

HB 1239 - (Forsyth) Introduced by Hamrick and Bailey
"To amend Chapter 400, 1945 Session Laws, to provide for the Clerk of Superior Court of Forsyth County to administer property and assets of minors and persons adjudged incompetent and to manage their property when the total value of the assets required by law to be administered for a minor or incompetent will not exceed a total value of $3,000.00" [Adds to SL 1945, Ch. 400, Sec. 1A(relating to Forsyth CSC himself administering liquid funds of minor or ward) proviso that when minor or incompetent owns unproductive real property or interest therein being occupied by ward and parent or person standing in loco parentis, and CSC determines that minors best interest served by his administration, CSC may administer same.(CSC's administration authority now limited to cases when minor's property limited to cash and money due). Increases maximum amount of property within range of CSC administration from $2,000 to three thousand after county commissions deducted. Raises from $2,000 to $3,000 amount of settlements in favor of minor received by CSC which CSC must undertake to transfer to ledger account for administration in absence of qualified alternate. Rewrites Sec. 3A of cited law (now, relating to discontinuance of CSC administration when real estate interest of ward discovered) to provide that if CSC, after receiving money for minor or incompetent, determines that total cash belonging to and money due ward exceeds $3,000, or CSC determines from estate facts that appointment of person to administer wards assets appropriate, CSC to make such appointment and transfer all monies held in his office to wards account to that administration. Provides that where CSC has invested funds of ward subject to his administration and amount increases beyond $3,000 (now, $2,000) limit CSC may continue administration. Repeals SL 1957, Ch. 1297 (raised CSC administration limits throughout to $2,000 from original Act $1,000).] To Judiciary 1.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 239 - Freely chosen podiatrists, as amended in Senate 5/25. Passed second and third readings.
SB 260 - Washington statue. Postponed to 6/7.
SB 398 - Lloyds insurance associations. Postponed 6/7.
SB 403 - Adoption residence requirement. Passed second and third readings.
SB 416 - Private school driver training, (Senate committee substitute, 5/22). Passed second and third readings.
SB 453 - State Soil Committee Sess. L. Passed second and third readings.
SR 506 - (Joint Resolution) Designating Flag Day. Passed second and third readings.
SB 544 - Four-year superintendents. Passed second and third readings.
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HB 32 - Income tax exemption. Reported favorably.
HB 457 - Consumer finance amendments. Passed second reading.
HB 458 - Banking law amendments, (House committee substitute 6/1). Postponed to 6/6.
HB 561 - Mental hospital lien, as amended in House 5/29 and 6/1. Passed third reading.
HB 562 - Mental hospital death lien, as amended in House 6/1. Passed third reading.
HB 803 - Beer and wine taxes. Reported favorably as amended.
HB 918 - Numbered legislative seats. Postponed to 6/5.
HB 921 - Out-State adopted children. Amendment adopted to provide that portions of act, other than that amending GS 48-29 (to authorize court to decree name change of adoptive child upon adoption petition or subsequent petition of adoptive parents), shall apply only to birth certificate of a child whose adoption is recorded under a specified index number in files of State Department of Public Welfare. Passed second and third readings.
HB 936 - Pre-trial exam State witness, (House committee substitute, 6/1). Passed second reading.

HB 937 - Drunk-drugged driving punishm. (House committee substitute, 5/25). Floor amendments adopted making technical changes and: (1) Adding provision in regard to second offense of driving under influence of intoxicating liquor or narcotic drugs that, in lieu of imprisonment specified by section, such person may in discretion of court be voluntarily committed to any alcoholic rehabilitation center maintained by NC Department of Mental Health for 30-60 days treatment. (2) Providing that offenses committed prior to ratification of act shall be counted in applying only that portion of act amending GS 20-17 to provide that upon second, third and subsequent convictions of driving motor vehicle under influence of intoxicating liquor and first and all subsequent convictions of driving motor vehicle under influence of marcotic drug shall result in automatic revocation of drivers license by Department of Motor Vehicles (Original bill provided that no offense committed prior to date of ratification was to be counted in applying act). Passed second reading. Postponed to 6/5.

HR 944 - (Joint Resolution) Local government study comm. Reported favorably as to committee substitute; committee substitute adopted to set membership of commission at three Senators appointed by President of Senate (same as original bill), six Representatives appointed by Speaker of House (original bill, three), and six citizens appointed by the Governor (original bill, three). Adds provision giving commission authority to assign portions of its work to subcommittees and setting out the following subject matter for particular attention of commission: (1) study of method and procedures to reduce volume of local legislation. (2) study possible changes in organization and administration of county government which would realize its full potential for providing general purpose, area and regional, local governmental services, (3) study impact of urbanization on municipal government and its capability for furnishing full range of public services for expanding urban areas of State, and (4) study purpose and function of special purpose local government units in relation to general purpose municipal and county governments. Adds provision that Commission may accept and expend donations or grants from any person, firm, foundation or governmental agency. Specifies that Commission shall report and publish its findings and recommendations not later than January 1, 1969 (original bill, March 1, 1969).

HB 982 - Authorizing COG's. Passed second reading.

HB 988 - Judgment notice. Floor amendment adopted to provide that notice required by act to be given by clerk of superior court or other court official upon receipt of money payment on judgment shall be given within 7 days after receipt of such payment (original bill, "immediately"). Passed second and third readings.

HB 1003 - Four year superintendents. Postponed indefinitely.

HB 1004 - Aged auto insurance. Clarifying amendment adopted. Passed second reading. Postponed to 6/5.

HB 1016 - Dying declarations. Floor amendment adopted to strike substance of original bill and substitute in lieu thereof a new proviso of GS 8-51 (relating to testimony of interested persons in civil actions, where other party is dead or a lunatic) that act shall not preclude testimony as to identity of deceased motor vehicle operator in any case brought against deceased's estate arising out of operation of motor vehicle in which deceased is alleged to have been one of operators involved. Passed second reading. Postponed to 6/5.

HB 1025 - Local gov't funds investment. Amendment adopted to delete requirement that specified type of shares of savings and loan association shares in which investment may be made under act have "written condition that such shares shall be fully redeemable upon a maximum of thirty days notice." Passed second reading.

HB 1071 - Uniform member benefits. Postponed to 6/6.

HR 1085 - (Joint Resolution) Library Study Comm. Reported favorably.

HB 1108 - Garbage redefined. Passed second and third readings.
HB 1126 - Railroad track tampering. Postponed to 6/5.
HB 1127 - Injury to realty. Postponed to 6/5.
HB 1145 - County courthouse-jail tax. Passed second reading.
HB 1153 - Kiddy-ride privilege tax. Amendment adopted to specify that tax authorized to be levied by counties and municipalities on refreshment stand operated in connection with riding devices designed exclusively for children 12 years of age or younger shall be $3.75 "per week." Passed second reading.

LOCAL BILLS

SB 367 - (Johnston) Four Oaks annexation. Amendment adopted revising area, described by metes and bounds, which may be annexed by Four Oaks subject to special election approval. Postponed to 6/5.
SB 523 - (Henderson) County library tax. Passed third reading.
SB 547 - (Union) Monroe land conveyance. Passed.

HB 388 - (Yadkin) Board education appointment. Passed.
HB 389 - (Wilkes) Board of Education. Passed.
HB 491 -(Alexander) School board election. Floor amendment adopted substituting for provision relating to filling expired terms provision at 1968 general election and thereafter, that 1970 and biennially thereafter board members to be elected to take place of members whose terms next expire. Passed.
HB 570 - (Iredell) School board election. Passed.
HB 713 - (Alexander) Officials salaries, as amended in House 5/11 and in Senate 6/1. Received for concurrence in Senate amendment; concurred.
HB 810 - (Alamance) School board election. Passed.
HB 817 - (Henderson) School board election. Passed.
HB 952 - (Jones) Watershed condemnation. Passed.
HB 1156 - (Wake) Raleigh franchises. Floor amendment adopted making technical change Passed second reading.
HB 1176 - (Forsyth) Zoning amendments notice. Passed.
HB 1177 - (Forsyth) County contract procedure. Passed.
HB 1179 - (New Hanover) Corporate non-usury loans. Passed.
HB 1190 - (Caldwell) School board election. Passed.
HB 1210 - (Onslow) Pawnbrokers. Passed.

BILLS RATIFIED

SB 180 - Auto property damage claims (House committee substitute 5/24). [Ch. 662]
SB 327 - (Polk) Columbus council election. [Ch. 663]
SB 329 - (Brunswick, New Hanover) Land from ocean, as amended in House 5/23 and 5/31. [Ch. 664]
SB 348 - (McDowell) Marion name, election changes. [Ch. 665]
SB 374 - (Union) Monroe school board election, as amended in Senate 5/22. [Ch. 666]
SB 375 - (Swain) Bd. of commr's powers. [Ch. 667]
SB 396 - (Cleveland) Comm'rs set officials' fees. [Ch. 668]
SB 469 - Industrial Commission appeals, as amended in Senate 5/19. [Ch. 669]
SB 494 - (Cherokee) Officials salaries. [Ch. 670]
SB 526 - (Haywood) Canton ABC vote as amended in Senate 5/25. [Ch. 671]
SB 558 - (Henderson) Amending SB 325. [Ch. 672]

HB 318 - (Macon) Delinquent taxes. [Ch. 373]
HB 333 - Motorcycle safety gear (House committee substitute 4/18), (Senate committee substitute 5/25). [Ch. 674]
HB 704 - (Gaston) Belmont council salaries. [Ch. 675]
HB 720 - (Rowan) Coroner's fees. [Ch. 676]

HB 721 - (Rowan) Officials' salaries. [Ch. 677]
HB 761 - (New Hanover) Wilmington planning. [Ch. 678]
HB 763 - (Ashe) Register of deeds fees. [Ch. 679]
HB 802 - (Rutherford) Mayor, commr's salaries. [Ch. 680]
HB 862 - (Lincoln) Commissioner compensation (House committee substitute 5/23). [Ch. 681]
HB 880 - (Yadkin) Commissioners salaries. [Ch. 682]
HB 942 - (Scotland) Commissioners compensation. [Ch. 683]
HB 945 - Work release earnings, as amended in House 5/18. [Ch. 684]
HB 1059 - (Burke) Extraterritorial zoning. [Ch. 685]
HB 1099 - (Brunswick) CPORA funds. [Ch. 686]
HB 1118 - (Randolph) Validating JP acts, as amended in House 5/31. [Ch. 687]
HB 1123 - (Wayne) Eureka single-shot voting. [Ch. 688]
HB 1124 - (Wayne) Eureka commr's pay. [Ch. 689]

Next sessions of House: 10:00 a.m., Saturday, June 3, 1967, for consideration of local bills only.
8:00 p.m., Monday, June 5, 1967.

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INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 84

Monday, June 5, 1967

Note: The Senate convened at 9:00 a.m., Saturday, June 3, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 7:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 610 - Introduced by Burney

"To require non-resident trustees of decedents' property to appoint process agents." [Adds new GS 28-152 requiring non-resident trustees of testamentary or inter vivos trusts to appoint agent for service of civil process arising out of administration of trust in order to qualify for delivery of trust assets. Provides that if assets delivered in violation, process may be served outside State or by publication per rules of civil procedure with State having jurisdiction as if obtained by service upon properly appointed process agent. Effective October 1, 1967.] To Judiciary 2.

SB 611 - Introduced by Burney

"To define the term 'next of kin'." [Adds new GS 41-6.1 defining "next of kin" in deeds, wills, or other writings as those persons who would take under the law of intestate succession unless contrary intention appears in instrument.] To Judiciary 2.

SB 612 - Introduced by Burney

"To clarify the form of acknowledgment of instruments by spouses of persons accompanying or serving in or with the armed forces of the United States." [Clarifies form of acknowledgment specified by GS 47-2 to clearly identify persons indicated in title.] To Judiciary 2.

SB 613 - Introduced by Burney

"To provide for registration of certificates of corporate mergers or consolidation affecting title to real property." [Adds new GS 47-18.1 providing that if title to real property in State transferred by operation of law upon merger or consolidation of two or more corporations, transfer effective against lien creditors or purchasers for valuable consideration from corporation formerly owning property, only from time of registration of certificate of merger or consolidation in county where land lies, or in each county where any portion of a piece of land lies as to land in that county. Requires Secretary of State to adopt uniform certificates of merger or consolidation to be furnished for registration, and to adopt fees as necessary for expenses. Certificates to be registered by register of deeds in same manner as deeds, and for same fees, but no formalities as to acknowledgment, probate, or approval by any other officer required. Name of corporation formerly owning property to appear in "grantor" index and name of

corporation owning the property by virtue of merger or consolidation to appear in "grantee" index. Makes GS 55-110(b) (relating to effect of corporate merger or consolidation) and GS 55A-42(4) (relating to effect of non-profit corporation merger or consolidation) subject to act if title to real property is affected. Effective October 1, 1967.] To Judiciary 2.

SB 614 - Introduced by Griffin and Boger

"To amend Chapter 66 of the General Statutes of North Carolina relating to the regulation of dealing in certain metals." [Amends GS 66-11 (dealing in certain metals regulated, etc.) by adding aluminum of type used by manufacturing and power plants or communication industry, brasses, composition metals or copper of type used by communication industry, and any copper, brass or bronze of whatever type to list of items for which purchasers must keep records. Adds provision that record must indicate address and driver's license number of seller (now, requires only name of seller). Adds provision requiring records to be kept at place of business of buyer and open to inspection by any law officer.] To Judiciary 2.

SB 616 - Introduced by Whitehurst

"To amend Chapter 282 of the Session Laws of 1967 pertaining to rear view mirror requirements for pickup trucks." [Amends cited act (SB 147) to add proviso to new GS 20-126(a) (requiring inside rear view mirrors on certain vehicles) that pickup trucks equipped with outside rear view mirror approved by MV Comm'r are exempt from requirement.] To Highway Safety.

SB 617 - Introduced by Whitehurst

"To permit producers, handlers, and processors of fishery and seafood products to act jointly in promoting their industry by use of a self assessment program." [Declares it to be in public interest that those engaged in "coastal fisheries" as defined in GS 113-129 may act jointly to promote interest of their industry, and that no activity or association, undertaken pursuant to provisions of act and certified by C&D Board, to be deemed illegal or in restraint of trade. Provides that definitions of GS 113-128 (applying to agencies for conservation of marine and estuarine and wildlife resources) to apply to act; in addition "agency" to mean group, association or union which makes applications and otherwise acts for fishing and seafood industry or distinguishable part thereof. Provides for coastal fisheries or distinguishable part thereof to hold referendum among selves and to levy upon selves assessment on cathes, volume, landings, income or production, in addition to other applicable taxes, levies or licenses; any agency after applying in writing to and approved by C&D Board may conduct referendum; C&D Board to record in minutes and approve agency if it is in fact "fairly representative" of coastal fisheries or distinguishable part thereof and if application conforms with provision of act. Agency to determine purpose and manner of referendum and announce details of referendum and proposed assessment 30 days in advance; notice to be published in general circulation newspaper 20 days before election; election arrangements and expenses to be responsibility of agency; mail or box ballot may be prescribed; any person licensed by C&D to engage in business "directly affected" by proposed assessment is eligible voter. Agency to declare results of election within ten days if box ballot; if mail ballot, returned ballots to be opened and results declared at public meeting at least 15 days after original mailing. If 2/3 of votes cast favor assessment, annual assessment to be collected annually or more often by agency for three years and deposited in agency treasury; or alternatively assessment may be collected by Comm'r of Commercial and Sports Fisheries and paid over to agency; agency books to be open for Comm'r inspection. If election fails, agency may call another referendum not before next calendar year. During third year of assessment period, agency may call another referendum on 3-year assessment. Assessment not to exceed

one percent of average value of commodity during three years preceding agency application as available from State or Federal published statistics. Refunds to be made if request made in writing 30 days prior end of assessment year. Agency treasurer to publish amount of assessments collected, within 30 days after calendar year; treasurer to be bonded in amount to cover assessments collected.] To Conservation and Development.

SB 618 - Introduced by Byrd and others

"Relating to evidence in certain civil actions." [Adds requirement to GS 20-279.21(b)(2) that motor vehicle liability policy to include coverage of "persons in lawful possession" (now, only policy owner and other persons using motor vehicle with express or implied permission of insured); declares as defense to any action that operator was not in lawful possession.] To Judiciary 2.

LOCAL BILLS INTRODUCED -- SENATE

SB 615 - (Edgecombe) Introduced by Bridgers

"To authorize the Board of County Commissioners of Edgecombe County to fix the number of salaried county employees, to fix the compensation of county officials and employees and to fix the fees of county officers." [Adds Edgecombe to list of counties in GS 153-48.5 to which GS Ch. 153, Art. 6A applies (authorizing bd. of comm'rs to fix and determine number of salaried county employees and their compensation, except for commr's and employees under State Personnel Act); provides that GS 153-48.3(3) (prohibiting reduction of present compensation during present term of office) not to apply to sheriff, deputies or sheriff's employees; provides that GS 153-48.3(4) (prohibiting compensation reduction or increase of more than 20% over preceding fiscal year) not to apply to sheriff, deputies or sheriff's employees until July 1, 1968. Adds Edgecombe to list of counties covered by GS 153-9(12a) (authorizing comm'rs to fix fees and commissions to be charged by RD, CSC, clerks of county domestic relations courts and general county courts, sheriffs, jailers and coroners). Repeals local laws fixing salaries and number of sheriff dep't personnel. Authorizes comm'rs to place any elective officials on fixed salary in lieu of fee basis; any fees otherwise collected and retained by officials to be paid into general fund.] To Salaries and Fees.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 108 - Civil actions, illegitimates. Passed second and third readings.

SB 223 - Duct heating licensing, as amended in Senate, 5/10, (Senate committee substitute 6/1). Passed third reading.

SB 426 - Consolidated UNC trustees (2). Reported favorably as to committee substitute; committee substitute adopted making following changes in original bill: (1) Provides for UNC board of trustees of 60 members (original bill, 42) effective July 1, 1973 (original bill effected change to 60 member from present 100 member board as of July 1, 1971). (2) Transition to new board to be by appointment system whereby in 1967 and every two years thereafter, General Assembly by joint ballot of both houses to elect 11 trustees (same as original bill), one from each congressional district, to serve terms of eight years (original bill, six years) with the condition (new) that any trustee who serves for two regular terms to be ineligible to succeed self until two years intervene; and in 1967, and every two years thereafter, Governor to appoint four trustees (original bill, three) to serve eight year terms (original bill, six years). (3) Adds provision that no member of General Assembly shall be eligible for election to board for period during which

member, provided Governor, in making his appointments, may appoint one or more members of General Assembly and that any member of General Assembly elected to board prior to election to General Assembly not to be disqualified from continuing service on board. (4) Adds provision that no member of board of trustees of any other State supported institution of higher education to be eligible for membership on board and that member of board accepting other appointment shall automatically lose membership on board. (5) Governor made ex-officio trustee. (6) Specifically provides that in filling vacancies among elected trustees General Assembly to elect successor trustee "from the congressional district in which the former member resided". (7) Adds provision that any chairman of board who serves for two successive regular terms shall not be eligible to succeed self until two years intervene. (8) Eliminates specific provisions for election from board of vice chairman, secretary, and treasurer. (9) Eliminates provision for Secretary of State to call and preside over a meeting of board during first week of July next following election held for purposes of election of its officers. (10) Eliminates provision empowering Governor to call special meetings of board. (11) Adds provision empowering board to appoint a board of visitors to have such responsibilites as prescribed by board. (12) Provides for election from board of executive committee of 15 members (original bill, 12), one of whom shall be chairman of board who shall serve term of two years on executive committee and be chairman thereof (new). A third of executive committee to serve two, four and six year terms respectively (original bill, all members serve two years) with all succeeding terms to be for two years.

SB 478 - Beer and wine taxes, as amended in Senate 6/2. Passed third reading.
SB 517 - Watchmaking board. Reported favorably.
SB 549 - Minor's divorce suits. Passed second and third readings.
SB 559 - Vessel pilots' license. Passed second and third readings.
SB 566 - Cities' travel expense payment. Passed second and third readings.

HB 118 - Clergymens' privilege, as amended in House 5/10. Postponed to 6/7.
HB 321 - Pay for aged care. Postponed to 6/7.
HB 465 - 7% interest rate, (House committee substitute 5/1). Amendment adopted adding provision that no lender shall charge any borrower any fee or discount which inures to benefit of lender in excess of 1% of principal amount of loan for any loan made under the provisions of act. Provides that act shall not apply to any loan made prior to effective date. Modifies provision of act relating to residential loans to provide that borrower may agree to pay and lender may charge such borrower, on a direct reduction or construction loan secured by mortgage or deed of trust, interest "in excess of six percent (6%) but not in excess of seven percent (7%) per annum" (original bill reads, "at any rate . . . not in excess of seven per cent (7%) per annum"). Postponed to 6/7.
HB 532 - Hospital district bonds, as amended in House 5/8. Passed third reading.
HB 561 - Mental hospital lien, as amended in House 5/29 and 6/1. Received from House; sent to Judiciary 1.
HB 562 - Mental hospital death lien, as amended in House 6/1. Received from House; sent to Judiciary 1.
HB 609 - Interfamilial actions in State. Postponed to 6/7.
HB 847 - Sanitary district board pay. Passed third reading.
HB 857 - UNC enterprises bonds. Passed third reading.
HB 921 - Out-state adopted children, as amended in House 6/2. Received from House; sent to Public Health.
HB 988 - Judgment notice, as amended in House 6/2. Received from House; sent to Judiciary 2.

HB 1047 - Owl & hawk protection. Passed second and third readings.
HB 1049 - Wild turkey taking fine. Passed second reading.
HB 1108 - Garbage redefined. Received from House; sent to Agriculture.

LOCAL BILLS

SB 351 - (Montgomery) Mineral claims. Amendment adopted deleting provision that registration of claims required by act shall be effective for 5 years from date of filing and that they may be renewed successively as long as such subsurface interest is claimed by anyone other than surface owner. Adds provision that subsurface oil, gas and mineral interests shall be assessed for ad valorem taxes as real property and such taxes collected and foreclosed in manner authorized by GS Chapter 105.
HB 388 - (Yadkin) Board education appointment. Received from House; sent to Education.
HB 389 - (Wilkes) Board of education. Received from House; sent to Education.
HB 491 - (Alexander) School board election, as amended in House 6/2. Received from House; sent to Education.
HB 570 - (Iredell) School board election. Received from House; sent to Education.
HB 810 - (Alamance) School board election. Received from House; sent to Education.
HB 817 - (Henderson) School board election. Received from House; sent to Education.
HB 952 - (Jones) Watershed condemnation. Received from House; sent to Counties, Cities and Towns.
HB 1176 - (Forsyth) Zoning amendment notice. Received from House; sent to Counties, Cities and Towns.
HB 1177 - (Forsyth) County contract procedure. Received from House; sent to Counties, Cities and Towns.
HB 1179 - (New Hanover) Corporate non-usury loans. Received from House; sent to Counties, Cities and Towns.
HB 1190 - (Caldwell) School board election. Received from House; sent to education.
HB 1210 - (Onslow) Pawnbrokers. Received from House; sent to Judiciary 2.

Next session of Senate: 12 noon, Tuesday, June 6, 1967.

Note: The House convened at 10:00 a.m., Saturday, June 3, 1967, for consideration of local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1241 - Introduced by Vogler
"Relating to dividing North Carolina into Congressional Districts." [Rewrites GS 163-103 (establishing US Congressional Districts) to redistrict for the purpose of nominating and electing representatives to US Congress in 1968 and every two years thereafter. Provides for one Representative from each of 11 districts as follows:

District 1: Currituck, Camden, Pasquotank, Perquimans, Chowan, Gates, Hertford, Northampton, Halifax, Bertie, Martin, Washington, Tyrrell, Dare, Hyde, Beaufort, Pitt, Craven, and Pamlico.
District 2: Vance, Warren, Franklin, Nash, Edgecombe, Wilson, Greene, Wayne, and Johnston.
District 3: Lenoir, Jones, Carteret, Onslow, Duplin, Sampson, Pender, New Hanover, Brunswick, and Columbus.
District 4: Person, Granville, Orange, Durham, Wake, and Chatham.
District 5: Robeson, Bladen, Cumberland, Hoke, Harnett, Lee, Moore, and Montgomery.
District 6: Guilford, Alamance, Caswell, and Rockingham.
District 7: Iredell, Davie, Rowan, Cabarrus, Stanly, Davidson, and Randolph.
District 8: Mecklenburg, Union, Anson, Richmond, and Scotland.
District 9: Forsyth, Stokes, Surry, Yadkin, Alleghany, Ashe, Wilkes, and Caldwell.
District 10: Rutherford, Cleveland, Gaston, Lincoln, Catawba, Alexander, and Burke.
District 11: Watauga, Avery, Mitchell, Yancey, McDowell, Madison, Buncombe, Henderson, Transylvania, Haywood, Jackson, Macon, Swain, Graham, Clay, Cherokee, and Polk.

Present law (GS 163-103 as amended 1966) to remain in force until Jan. 1969 to govern filling of any vacancy occurring in term of office ending in Jan. 1969.] To Congressional Districts.

HB 1242 - Introduced by Harkins and Jordan
"Authorizing counties which install a modern loose-leaf registration book system of voters to extend the registration period for a limited time." [Permits counties where new county-wide registration of all voters is ordered by county elections board by reason of adoption of loose-leaf registration system, to begin registration in office of board of elections immediately after installation of such system in addition to regular registration period per GS 163-67 (as numbered in recodification of election laws, HB 146). Provides that act to be void after Jan. 1, 1970.] To Elections and Election Laws.

HB 1244 - Introduced by Stanford and others
"To enact the Interstate Mining Compact." [Identical with SB 607, digested in the Senate section of Bulletin No. 83 at page 828.] To Conservation and Development.

HB 1245 - Introduced by Taylor of Carteret and Mills of Anson
"To amend Chapter 66 of the General Statutes of North Carolina relating to the regulation of dealing in certain metals." [Identical with SB 614, digested in the Senate section of today's bulletin.] To Judiciary 2.

HB 1246 - Introduced by Messer
"To amend G.S. 108-38 by deleting the provision for a determination, by the county commissioners and county boards of welfare, of the number and salary of employees of county boards of welfare." [As title indicates. Effective July 1, 1967.] To Public Welfare.

HB 1248 - Introduced by Baugh and others

"To levy a tax on alccholic beverages sold through A.B.C. stores for the benefit of counties and municipalities." [Adds new subparagraph to GS 18-85 (taxes on A.B.C. store goods) providing for additional tax on sale of spiritous or distilled liquors at A.B.C. stores at following rates: 1/4 gallon--30¢; 1/5 gallon--25; 1/8 gallon--15¢; 1/10 gallon--15¢; 1/16 gallon--10¢; all other--$1.25 per gallon. Provides that these taxes be distributed within county or municipality operating store at same time and in same manner as profits from sales. Such taxes not to be included as part of sales price in computing other sales taxes levied by section. Effective July 1, 1967.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1243 - (Wake) Introduced by Johnson, McMillan, Bunn and Twiggs

"To provide for voluntary annexation by the City of Raleigh of areas, territories or subdivisions not contiguous to the municipal boundaries of the City of Raleigh." [Provides for annexation by Raleigh of areas, territories, and entire subdivisions not contiguous to municipal boundaries lying at nearest point within three miles of Raleigh city limits upon petition to City Council of all property owners in area requested to be annexed containing names of all owners and description of property sought to be annexed. Upon receipt of certification of results of investigation of sufficiency of petition by Clerk, provides for public hearings with public notice. Upon finding by Council of service to health safety and welfare of city and area of annexation and of city's ability to furnish city services to area, council may adopt ordinance of annexation effective not later than 90 days from passage, area to be then, unless election is required, a part of city and subject to obligations and benefits of city, with city taxes to be effective against area for fiscal year following year of annexation. City may make annexation contingent on conditions designed to prevent preferential treatment to such area, and Council may charge in any such area water or sewer rates exceeding those charged within city proper. Petition requesting referendum on annexation by at least 10% of qualified city voters, filed by effective date of annexation ordinance, forces Council to either adopt ordinance revoking annexation or to call referendum, to be held according to format prescribed by Board of Elections when ordered to conduct such election. Resolution requesting election to be published at least once weekly for thirty days prior to registration for election. Provides form of ballot for election. When annexed area touches limits of city proper as expanded per GS Ch. 160, Art. 36, it shall no longer be considered as noncontiguous. Noncontiguous area not to be considered as part of city for purposes of determining extraterritorial jurisdiction or for purposes of annexation under GS Ch. 160, Art. 36. Provides that areas so annexed shall never exceed 10% of area of city proper. Excludes areas within boundaries or extraterritorial jurisdiction of other municipalities from possible annexation.] To Judiciary 1

HB 1247 - (Northampton) Introduced by Jernigan and Burden

"To appoint the governing body of the Town of Garysburg, Northampton County." [Provides that governing body of town to consist of Mayor and five commissioners, and appoints W. E. Conwell, A. C. Wheeler, C. L. Joyner, Leroy I. Howell, J. A. Suiter, Jr., and R. Boyd Robinson as commissioners to serve until next regular election. One of members to be appointed by commissioners as Mayor.] To Local Government.

HB 1249 - (Mecklenburg) Introduced by Vogler, Hunter, Baugh, Jones, Beatty, Carson, and Calvert

"Enabling Mecklenburg County to hold a special election for the purpose of considering whether the county shall or shall not impose and levy a sales and use tax of one per cent upon the sale, use and other taxable transactions upon which the State now imposes a three per cent sales and use tax." [Directs board of elections to call special election on cited question either on written request of board of comm'rs or petition by voters equal to at least 15% of votes cast in county for

governor at last election; election to be held under rules for election of General Assembly, no new registration required, elections board to give at least 20 days notice prior to opening of registration books, form of ballot prescribed, and election not to be held on day of biennial election for county officers (or within 60 days thereof) nor within 3 years from date of prior election which approved tax. Upon vote favoring tax, tax to be imposed on first day of month following 90 days from date of election; Revenue Comm'r to begin administration of tax upon receipt of election certification from comm'rs. Sales tax limited to 1% of sales price and gross receipts of items now subject to State 3% sales tax pursuant to GS 105-164.4(1), (2), (3) and (4). Makes exemptions set out in GS 105-164.13 applicable to sales tax and prohibits county from altering exemptions. Makes sales tax applicable to retail sales, leases, rentals, rendering of services, furnishing of lodging and other taxable transactions by retailers whose place of business is located within county, but tax not applicable where tangible personal property sold is delivered to common carrier for destination outside county or State; maximum amount of additional tax on one sale is $10.

Sets use tax at 1% of cost price of items now subject to State 3% use tax pursuant to GS 105-164.6, when items purchased to be used, consumed or stored in taxing county, to be collected concurrently with State's use tax by retailers in county. Provides that where retail sales or use tax was paid to taxing jurisdiction outside State, purchaser to pay Revenue Comm'r difference between amount paid and the sum of state and local use taxes (4%), but maximum amount of additional tax on one sale is $10.

Directs Revenue Comm'r to collect and administer local sales and use taxes and to adopt rules for administration. Sets following retail bracket system for retailers: no amount on sales less than 10¢, 1¢ for sales 10¢-29¢, 2¢ for sales 30¢-59¢, 3¢ for sales 60¢-84¢, 4¢ for sales 85¢-$1.12, 5¢ for sales $1.13 and over with major fraction; maximum amount of additional tax on one sale is $10. Requires retailers (as trustee for county) to collect taxes as part of sales price, cost price, rental price, or charge for rendering of services. Requires taxes to be itemized separately from sales price or cost price and State sales tax, and states intent that tax is to be passed on to purchaser instead of being borne by retailer. Requires Comm'r to adopt and furnish to retailers necessary forms for reporting and collecting taxes. Requires Comm'r to distribute quarterly amount collected to county and municipalities within county; amounts to be prorated in proportion to total amount of ad valorem taxes levied by each unit during fiscal year preceding distribution. Makes provisions of Art. 5 and administrative interpretations applicable except where inconsistent; makes penalty provisions applicable.] To Finance.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 18 - Income tax exemptions. Received from Senate; placed on calendar . Postponed to 6/19.

SB 106 - Alimony revision, as amended in Senate 6/2. Received from Senate sent to Judiciary 1.

SB 170 - Vending machine tax exemption. Received from Senate; placed on calendar.

SB 208 - Intangibles tax deduction. Received from Senate; sent to Finance.

SB 210 - Banking law amendments, (Senate committee substitute, 5/31) as amended in Senate 6/2. Received from Senate; placed on calendar for 6/6.

SB 223 - Duct heating licensing, as amended in Senate 5/10 (Senate committee substitute 6/1). Received from Senate; sent to Judiciary 2.

SB 307 - Anti-litter act, as amended in Senate 6/2. Received from Senate; sent to Roads.

SB 476 - Minor's auto insurance, as amended in Senate 6/2. Received from Senate; sent to Insurance.

SB 477 - Cancelled insurance premiums. Received from Senate; sent to Insurance.

SB 509 - Phase out mayor's court. Received from Senate; sent to Courts and Judicial Districts.
SR 512 - (Joint Resolution) Pilot Mountain State Park. Received from Senate; sent to Conservation and Development.
SB 528 - Insurance company acquired. Received from Senate; sent to Insurance.
SB 536 - Highway official titles. Received from Senate; sent to Roads.
SB 538 - Bi-state road cooperation. Received from Senate; sent to Roads.
SR 540 - (Joint Resolution) Country doctor study. Received from Senate; sent to Roads.
SB 542 - Fraternal society benefits. Received from Senate; sent to Insurance.
SB 551 - Licensed ins. co. auto plates. Received from Senate; sent to Roads.

HB 457 - Consumer finance amendments. Postponed to 6/8.
HB 936 - Pre-trial exam State witness, (House committee substitute 6/1). Postponed to 6/6.
HB 937 - Drunk-drugged driving punishment, (House committee substitute 5/25) as amended in House 6/2. Floor amendment adopted adding provision violations of "restricted license" deemed operation of motor vehicle after license revoked or suspended punishable under GS 20-28 (relating to driving vehicle license revoked or suspended). Passed third reading.
HB 982 - Authorizing COG's. Passed third reading.
HB 1004 - Aged auto insurance, as amended in House 6/2. Technical floor amendment adopted. Passed third reading.
HB 1016 - Dying declarations, as amended in House 6/2. Passed third reading.
HB 1025 - Local gov't funds investment, as amended in House 6/2. Passed third reading.
HB 1145 - County-courthouse jail tax. Passed third reading.
HB 1153 - Kiddy-ride privilege tax, as amended in House 6/2. Passed third reading.

LOCAL BILLS

SB 314 - (Iredell) Tax discounts. Received from Senate; sent to Local Government.

HB 509 - (Cabarrus) Jurors, as amended in Senate 6/2. Received for concurrence in Senate amendment; placed on calendar for 6/6.
HB 839 - (Dare) Kitty Hawk incorporation, as amended in Senate 6/1. Received for concurrence in Senate amendment; concurred.
HB 851 - (Lee) Schoolboard merger, (House committee substitute 6/1). Passed third reading.
HB 856 - (Orange) Chapel Hill planning area, (House committee substitute 6/1). Passed third reading.
HB 1156 - (Wake) Raleigh franchises, as amended in House 6/2. Passed third reading.

Next session of House: 11:30 a.m., Tuesday, June 6, 1967.

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BULLETIN NO. 85

Tuesday, June 6, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 620 - Introduced by Buchanan

"To amend Article 4B of Chapter 106 of the General Statutes so as to prohibit aircraft application of pesticides within two miles of the corporate limits of any city or town." [Adds to GS 106-65.14 (relating to licensing of aircraft application of pesticides) provision that despite other provisions of Article no person or firm to make application of pesticides by aircraft within two miles of corporate limits of any incorporated city or town.] To Agriculture.

SB 621 - Introduced by Penn and others

"To appropriate money for the loan fund for prospective college teachers. [Appropriates to State Board of Education from General Fund $50,000 for fiscal year 1968-69 to be allocated by board to Loan Fund for Prospective College Teachers (GS Ch. 116, Art. 5) to be used for Fund purposes; expenditure of appropriation conditioned on matching funds from private sources prior to July 1, 1968. Identical with HB 1258.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 619 - (Gaston) Introduced by Rauch by request

"To authorize the qualified voters of the City of Gastonia to determine whether wine and beer may be sold and alcoholic beverage control stores operated in the City of Gastonia." [Provides that Gastonia City Council may call special election on question of beer and wine sales for off-premises consumption, and on operation of ABC stores, cost to be paid from town general fund. New registration of voters not necessary; all qualified voters previously registered and all who register for this election entitled to vote in election. Election to be held in same manner as general election for Gastonia except as otherwise provided. Provides form of ballot for beer-wine and ABC questions (questions linked). If votes approve, City to issue "off-premises" beer and wine licenses and ABC stores may be operated in city. If ABC stores approved, city council to create and appoint 5-member city ABC board with members serving staggered 3-year terms (initially 1 to 3 years); council-appointed chairmen to be from board membership and to serve 1-year terms. ABC board to have powers and duties imposed by GS 18-45 (powers and duties of county boards) and subject to powers of State Board of Alcoholic Beverage Control under GS 18-38, except GS 18-39(10) (opening and location of county stores); also GS Ch.18,Art. 3 to apply (ABC Act of 1937). Provides that Gastonia ABC board to pay quarterly net profit, as determined by audit after payment of salaries, costs, operating expenses and retention of sufficient working capital, into Gastonia general fund. Gastonia authorized to expend revenue derived from ABC operations for any purpose for which it may expend tax and nontax revenue. If subsequent election held and voters are against ABC stores, ABC board to close

ABC stores within three months and dispose of all alcoholic beverages and property in their control, converting same into cash and turning cash into Gastonia general fund.] To Propositions and Grievances.

SB 622 - (Mecklenburg) introduced by Moore, Evans and Maxwell

"Enabling Mecklenburg County to hold a special election for the purpose of considering whether the county shall or shall not impose and levy a sales and use tax of oneper cent upon the sale, use and other taxable transactions upon which the State now imposes a three per cent sales and use tax." [Identical with HB 1249, digested in the House section of yesterday's Bulletin No. 84 at page 848.] To Finance.

SB 623 - (Harnett) Introduced by Morgan

"Repealing Chapter 695 of the Session Laws of 1963 limiting the amount of school bonds which might be authorized for the County of Harnett and fixing such limitation for said County within the provisions of the County Finance Act." [Empowers county commissioners to authorize county bond issues for school purposes pursuant to provisions of County Finance Act (GS Ch. 153, Art. 9) and notwithstanding GS 153-87 (relating to debt limitations) limitation if it appears from sworn statements (GS 153-83) that net school indebtedness does not exceed 8% of the assessed valuation of County, unless bonds issued are funding or refunding bonds in which event such limitation not to apply. Repeals SL 1963, Ch. 695 limiting Harnett school bonds authorized to $4,500,000.] To Finance.

SB 624 - (Polk) Introduced by Buchanan

"To repeal Chapter 1209 of the Session Laws of 1957 relating to the election of school principals in Polk County." [Repeals SL 1957, Ch. 1209 which added local modification to GS 115-72 providing that election of a principal by district committee on recommendation of Polk superintendent of schools is final.] To Education.

SENATE CALENDAR ACTION
PUBLIC BILLS

SB 110 - Landfill acquisition. Reported favorably as amended.
SB 209 - Hospital facility leasing. Reported favorably.
SB 211 - Loan collection amendments. Reported favorably.
SB 304 - State retirement system change, (Senate committee substitute 6/1). Postponed indefinitely.
SB 412 - Hospital patient statement. Reported favorably as to committee substitute; substitute adopted rewriting bill to provide that any oral (new) or written statement, waiver, release, receipt, or other representation made or executed while patient in hospital and taken by any person in connection with any type of insurance coverage on or for benefit of person (original bill, specified health, accident or hospitalization insurance) taken while such patient in shock or appreciably under influence of any drugs, including those given for sedation, shall be deemed obtained by fraud, duress or undue influence and shall be incompetent and inadmissible in evidence to prove or disprove any fact or circumstance relating to insurance of said patient, nor may patient be examined or cross-examined in regard to statement (original bill, made it presumption that statement was obtained by fraud, duress or undue influence unless attending physician certified that at time written statement signed by patient he was not in shock nor appreciably under influence of any drug, including one given for sedation.) Deletes from original bill provision that all answers made by applicants for health, accident and hospitalization insurance shall constitute representations and not warranties.
SB 425 - Administrative procedures. Reported favorably as amended.
SB 441 - Redevelopment changes. Reported favorably as amended.
SB 490 - School bus tort claims. Reported favorably; rereferred to Appropriations.
SB 507 - Municipal fidelity bonds. Reported favorably.
SB 508 - Municipal bond retirement. Reported favorably.

SB 517 - Watchmaking board. Floor amendments adopted: (1) Adding provision that those engaged in sale of watches are deemed to comply with act when they receive watches for repair and repairs are made under general supervision of registered watchmaker, and those engaged in sale of watches deemed in compliance when they return watches to factory for adjustment, exchange or repairs. (2) Deletes authority of board to refuse to issue or to revoke or suspend any license if applicant shall "perform any work upon a watch in an unworkmanlike or unskilled manner." (3) Amends requirement of penalty clause that one who advertises as being in business of watchmaking or repairing or who operates such business shall "at all times" operate such business under "personal" supervision and management of registered watchmaker (deletes quoted words). Passed second reading.
SB 519 - Construction indemnification. Reported favorably.
SB 537 - Alter & abandon NC roads. Reported favorably as amended.
SB 560 - Hours of female employment. Reported favorably.
SR 562 - (Joint Resolution) Banking Study Commission. Reported unfavorably.
SB 569 - Awarding meritorious SHP acts. Reported favorably; rereferred to Approp.
SB 579 - Fed. S&L share guarantee. Reported favorably.
SB 581 - State Stadium Authority. Reported favorably.
SB 604 - Substitute trustee validation. Reported favorably as amended.
SB 610 - Non-resident trustee agents. Reported favorably.
SB 611 - Next of kin definition. Reported favorably.
SB 612 - Probate by service spouses. Reported favorably.
SB 613 - Corporate merger registration. Reported favorably.
SB 614 - Metal dealer regulations. Reported favorably as amended.
SB 618 - Liability insurance coverage. Reported favorably.
HB 214 - Joint tort feasor contributions, as amended in House 4/12. Reported favorably as amended.
HB 356 - Water-air resources board, (House comm. sub. 5/16). Rept'd fav. as amended.
HB 513 - Theater girls working hours. Reported favorably.
HB 582 - Official records distribution. Postponed to 6/7.
HB 646 - State retirement system changes, (House comm. sub. 5/31). Passed 3rd reading.
HB 738 - Coupled vehicle length, as amended in House 5/19 and 5/22. Rept'd fav. as amended.
HB 796 - Public contracts revision, as amended in House 5/17. Reported favorably.
HB 982 - Authorizing COG's. Received from House; sent to Judiciary 2.
HB 1049 - Wild turkey taking fine. Passed third reading.
HB 1145 - County courthouse jail tax. Received from House; sent to Finance.

LOCAL BILLS

SB 257 - (Jackson) Commissioners compensation. Reported favorably as to committee substitute; substitute adopted adding provision that $45 per diem is maximum for full day or major part thereof in discharge of official duties; $25 per diem for night meetings or day meetings of three hours or less; limits annual maximum compensation per member to $1,200 including reimbursement for travel.
SB 371 - (Beaufort, Cabarrus, Forsyth, Gaston, Guilford, Johnston, Wake, Union) Animal abandonment, as amended in Senate 6/2. Passed.
SB 423 - (Craven) School board compensation. Passed.
SB 577 - (Polk) Tryon school vacancy. Passed.
SB 582 - (Halifax) Roanoke Rapids retirement. Passed.
HB 567 - (Mecklenburg) Charlotte planned streets, (House committee substitute 5/30). Passed.
HB 805 - (Carteret) Beaufort town limits. Passed third reading.
HB 831 - (Richmond) Officials salary increases, as amended in House 5/25. Reported favorably as amended. Amendment adopted providing 10% increase in CSC salary for each of years beginning July 1, 1967 and 1968, which increases are to reflect CSC salary as Judge of Juvenile Court (original bill 10% of CSC salary; effective July 1, 1967).

HB 851 - (Lee) School board merger, (House committee substitute 6/1). Received from House; sent to Education.
HB 856 - (Orange) Chapel Hill planning area, (House committee substitute 6/1). Received from House; sent to Counties, Cities and Towns.
HB 887 - (Onslow) Watershed eminent domain. Passed third reading.
HB 964 - (Carteret) Beaufort open space taking. Amendment adopted excluding area, described by metes and bounds from application of Act. Passed.
HB 1000 - (Macon, Clay) Hog protection. Passed.
HB 1006 - (Wilson) School board appointment. Passed.
HB 1057 - (Mecklenburg) Charlotte charter revision. Passed.
HB 1058 - (Mecklenburg) ABC profits. Passed.
HB 1095 - (Pamlico) School board land transfer. Passed.
HB 1132 - (Robeson) Public drunkenness penalty. Passed.
HB 1150 - (Mecklenburg) County recorder arrest fee. Passed.

Next session of Senate: 12 noon, Wednesday, June 7, 1967.

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BULLETIN NO. 85
Tuesday, June 6, 1967

Session: House 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1250 - (Joint Resolution) Introduced by Love and Exum
"Directing the Legislative Research Commission to make or cause to be made a study of law research materials and facilities of the State of North Carolina and to report to the 1969 General Assembly its findings and such recommendations as it might have." [As title indicates. Provides that study include consideration: (1) of all printed books and documents of North Carolina law and their accessibility; (2) of having a thorough modern session laws index prepared and distributed; (3) of having future session laws issued in slip law form within one week after ratification; (4) of having present law library facilities reorganized, or consolidated, or new law library facilities established; (5) of issuing administrative reports and rules in standard form, and of computerizing the General Statutes. Study to include inquiries of Secretary of State, Attorney General, Revisor of Statutes, State Librarian, Supreme Court Librarian, General Statutes Commission, Director of Department of Administration, Director of Institute of Government, Dean of School of Library Science of UNC-CH, Director of Division of Legislative Drafting, Director of Department of Archives and History, and Director of Central Data Processing. Legislative Research Commission may seek counsel of such non-governmental publishers and authorities as: IBM of Raleigh, Data Retrieval Corporation of America of Milwaukee, Health Law Center at University of Pittsburgh, Michie Company, Bobbs-Merrill Co., H.W. Wilson Company, West Publishing Company, Lawyers Co-operative Publishing Company, Shepard's Citations, Harrison Company and Automated Law Searching.] To Rules.

HB 1253 - Introduced by Eagles
"To provide for the codification and printing of the Revenue Act, the same being Chapter 158 of the Public Laws of 1939, as amended." [As title indicates; provides that amendments and supplements enacted by General Assembly of 1967 to Revenue Act be codified and that 5,000 copies of it and related Acts administered by Commissioner of Revenue be delivered to Commissioner for distribution.] To Finance.

HB 1254 - Introduced by Eagles
"To provide for the codification and printing of the Machinery Act, the same being Chapter 310 of the Public Laws of 1939, as amended." [As title indicates; provides that amendments and supplements enacted by General Assemblies of 1939-67 be codified and that 2,500 copies be delivered to State Board of Assessment for distribution.] To Finance.

HB 1257 - Introduced by Baugh
"To increase the salary of State Highway Patrolmen five per cent (5%)." [Provides for 5% pay increase for State Highway Patrolmen to be in addition to and not in lieu of 5% recommended by Advisory Budget Commission for State employees generally as contained in HB 34 digested in Bulletin No. 5 beginning at p. 46. Appropriates necessary funds to Department of Motor Vehicles from Highway Fund for each fiscal year of 1967-69 biennium. Effective July 1, 1967.] To Appropriations.

HB 1258 - Introduced by Beatty and Merritt
"To appropriate money for the loan fund for prospective college teachers." [Identical with SB 620, digested in the Senate section of today's bulletin.] To Appropriations.

HB 1259 - Introduced by Short and others
"To amend Article 37, Chapter 160, of the General Statutes, relating to counsel fees in eminent domain proceedings for urban redevelopment purposes." [Amends GS 160-456(2) and GS 160-456(10) h.3 (Definitions for Urban Redevelopment Law) to provide that property owners shall be entitled to be represented by counsel of their own selection (now provides that "respondents" be so represented) in eminent domain proceedings under said law.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1251 - (Moore) Introduced by Auman
"To establish districts for the selection of members of the Moore County Board of Education and to provide for staggered terms." [Repeals SL 1965, Ch. 1051, §§3 (b), (c), (d), (e), and (f) (set up seven man county school board with one to be resident from each of existing five county school districts and two to be at large members who may be residents from any part of Moore County) and SL 1967, Ch. 2 (postponed election of members of Moore County Board of Education until first Tuesday in April, 1968). Moore County Board of Education to consist of eight members on Dec. 1, 1968, one to be elected at large and one to be elected from each of seven school election districts as follows: (1) present Aberdeen School attendance area; (2) present Southern Pines City Administrative Unit; (3) present Pinehurst City Administrative Unit and West End school attendance area; (4) present Westmoore and Highfalls attendance areas; (5) present Robbins attendance area; (6) present Carthage and Cameron school attendance areas; and (7) present Farm Life and Vass-Lakeview attendance areas. At - large member to be resident of area comprising districts one, two, or three. Elections to be nonpartisan and separate ballot used; first board to be elected at 1968 primary with every district candidate required to be resident of district from which he seeks election; at-large candidate to declare at filing his at-large candidacy. All candidates to be elected by voters of entire county; election to be held pursuant to GS Ch. 163; tie vote to be decided in second election. Four district candidates receiving highest vote to serve 4-year terms, nex three to serve 2-year terms, and at-large candidate to serve 2-year term. At 1970 primary and quadrennially thereafter, three district members for districts represented by persons whose terms expire to be elected along with at large member for 4-year terms and four other districts to elect successors at 1972 primary and quadrennially thereafter for 4-year terms.] To Education.

HB 1252 - (Avery) Introduced by Isaac
"To authorize the Avery County Board of Education to convey certain property at private sale to the Avery County Board of County Commissioners." [As title indicates; provides for conveyance at not less than $30,000 of 9 1/2 acres in Roaring Creek Township in Avery County no longer needed for school purposes.] To Education.

HB 1255 - (Vance) Introduced by Church
"To fix the fees of jurors for all courts in Vance County at seven dollars per day."[Fixes jurors' fees at $7.00 per day. Effective July 1, 1967.] To Courts and Judicial Districts.

HB 1256 - (Vance) Introduced by Church
"To provide for the sheriff's fee in Vance County." [Provides that sheriff to receive $2.00 fee for each criminal and civil process served. Effective July 1, 1967.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 18 - Income tax exemptions. Reconsidered vote by which postponed. Passed second and third readings.

SB 108 - Civil actions, illegitimates. Rec. from Senate; sent to Judiciary 2.

SB 410 - Counsel fees, insurance suits, as amended in Senate 5/31. Withdrawn from Judiciary 2; sent to Judiciary 1.
SB 478 - Beer and wine taxes, as amended in Senate 6/2. Received from Senate.
SB 549 - Minor's divorce suits. Rec'd from Senate; sent to Judiciary 1.
SB 559 - Vessel pilot's license. Rec'd from Senate; sent to Judiciary 2.
SB 566 - Cities' travel expense payment. Rec'd from Senate; sent to Local Government.

HB 32 - Income tax exemptions. Postponed indefinitely.
HB 619 - Habitual felons. Reported favorably as to committee substitute. Committee substitute adopted providing that persons convicted or who have pled guilty to three felony offenses in any federal court or state court in US or combination thereof to be declared habitual felons. (Original refers only to persons convicted or having so pled in any federal court or state court in US.) Adds provisions that federal offenses relating to manufacture, possession, sale and kindred offenses involving intoxicating liquors not to be considered felonies for purposes of Act; and that indictment charging defendant as an habitual felon to be separate from indictment charging him with principal felony. Provides also that when indictment charges an habitual felon with a felony and also charges that said person is an habitual felon, defendant be tried for principal felony as provided by law, with indictment that person is habitual felon not to be revealed to jury unless jury finds that defendant is guilty of principal felony or other felony with which he is charged. If jury finds defendant guilty of felony, indictment charging defendant as habitual felon may be presented to same jury with proceedings to be as if issue of habitual felon were a principal charge; if jury finds that defendant is habitual felon, judge to enter judgment according to provisions of Act. If jury finds that defendant not habitual felon trial judge to pronounce judgment on principal felony as provided by law. (Original provides that upon conviction it shall be duty of trial judge to inquire specifically of jury as to whether they find defendant guilty both of felony charged and also as an habitual felon or merely of felony charged in indictment, with trial judge to record verdict of jury and enter judgment accordingly.)
HB 936 - Pre-trial exam state witness, (House committee substitute 6/1). Postponed to 6/7
HB 967 - Cherokee amusement tax exempt. Reported favorably.
HB 983 - Truck safety belts. Reported favorably.
HB1073 - Liquor tax distribution. Withdrawn from Counties, Cities and Towns and re-referred to Finance.
HB1100 - Amending HB 41. Reported favorably.
HB1101 - Carrier's gross revenue tax. Passed second reading.
HB1146 - Local airport bond maturities. Passed second reading.
HB1168 - State employee defense. Reported favorably.
HB1169 - Town, county employee defense. Reported favorably.
HB1200 - Motor vehicle brakes. Reported favorably.
HB1206 - Outstate attorneys practice. Reported favorably.
HB1224 - $15,000 state tort liability. Reported favorably.

LOCAL BILLS

HB 332 - (Avery) Crossnore charter revision. Recalled from Senate; votes by which passed second and third readings reconsidered.
HB 509 - (Cabarrus) Jurors, as amended in Senate 6/2. Concurred in Senate amendment.
HB 879 - (Wilkes) County officers election. Reported unfavorably.

BILLS RATIFIED

SB 239 - Freely chosen podiatrists, as amended in Senate 5/25. [Ch. 690]
SB 292 - Omnibus court amendments, as amended in Senate 5/22. [Ch. 691]
SB 380 - Motor vehicle inspections. [Ch. 692]
SB 403 - Adoption residence requirement. [Ch. 693]
SB 416 - Private school driver training, (Senate committee substitute 5/22). [Ch. 694]

SB 453 - State Soil Committee Sess. L. [Ch. 695]
SR 506 - (Joint Resolution) Designating Flag Day. [R 57]
SB 523 - (Henderson) County library tax. [Ch. 696]
SB 544 - "Four-year superintendents". [Ch. 697]
SB 547 - (Union) Monroe land conveyance. [Ch. 698]

HB 93 - Fuel tax rebate, as amended in House 3/10. [Ch. 699]
HR 262 - (Joint Resolution) Elderly tax burden study. [R 58]
HB 421 - National Guard auto plates, (House committee substitute 5/24) as amended in House 5/25. [Ch. 700]
HB 427 - Foreign trusts intangible tax, as amended in House 4/26. [Ch. 701]
HB 448 - Minimum tax refunds. [Ch. 702]
HB 451 - Library, recreation taxes. [Ch. 703]
HB 452 - Delinquent city taxes, as amended in House 4/21. [Ch. 704]
HB 539 - Tax foreclosure surplus, as amended in House 5/8. [Ch. 705]
HB 656 - Tax penalty combat exemption. [Ch. 706]
HB 699 - Garbage work by prisoners. [Ch. 707]
HB 713 - (Alexander) Officials salaries, as amended in House 5/11 and Senate 6/1. [Ch. 708]
HB 859 - (Lincoln) Full-time registration. [Ch. 709]
HB 912 - Wide load farm equipment. [Ch. 710]
HB 917 - Advances on revenue bonds. [Ch. 711]
HB 930 - Auto license tax payment, as amended in House 5/26. [Ch. 712]
HB 947 - (Orange) Chapel Hill transport. [Ch. 713]
HB 1072 - (Pender) Jurors fees, as amended in House 5/26. [Ch. 714]
HB 1115 - (New Hanover) Recorder court solicitor. [Ch. 715]

Next session of House: 12:00 noon, June 7, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 86
Wednesday, June 7, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 627 - Introduced by Griffin and Boger
"To allow State employees and teachers who are over sixty (60) when employed to become active members in the retirement system." [Rewrites GS 135-3(6) (relating to membership in the Teachers and State Employees Retirement System) to provide that any person who became or becomes a "teacher or employee" after age 60 may be member of retirement system effective the date of re-entering service by signing proper enrollment forms as specified by trustees and paying contributions at current rate plus interest, if any (now, persons becoming teacher or employee after age 60 are excluded from retirement system). Adds provision to GS 135-3(7)d that if employee or teacher who retired on retirement allowance is restored to service after age 60 he may elect to again become a retirement system member, and his allowance shall then cease and he shall contribute thereafter at uniform rate payable by all members.] To Retirement, Employment Security.

SB 628 - Introduced by McLendon and others
"To amend G.S. 20-279.21, relating to motor vehicle liability policies so as to provide that default judgments taken against insureds holding policies under the assigned risk plan shall not be used as a basis for judgment against an assigned risk insurer, unless such insurer has had reasonable notice of the pendency of suit against its insured and an opportunity to defend." [Identical with HB 1189 digested in House section of Bulletin No. 80 at page 792.] To Insurance.

SB 629 - Introduced by Allsbrook and Bridgers
"To permit guardians ad litem to act with regard to real estate." [Amends GS 33-31 (Special proceedings to sell ward's estate) by adding new subsections providing that guardian ad litem may exercise same powers under present section as other guardians and validates all transactions in which guardians ad litem have, prior to effective date of Act, exercised powers granted to other guardians as of Jan. 1, 1968, with no claim or defense based upon invalidity of such transactions to be asserted after that date.] To Judiciary 1.

SB 630 - Introduced by Bailey and Coggins
"To amend Chapter 691, Session Laws of 1967 (formerly S.B. 292, as amended) by providing additional seats of District Court at Wake Forest and Zebulon in Wake County." [Amends chart in GS 7A-133 as title indicates, effective July 1, 1967.] To Courts and Judicial Districts.

SB 631 - Introduced by White of Lenoir
"To create the State Art Museum Building Commission and to provide for the erection of a State Art Museum building." [Creates State Art Museum Building Commission to be composed of three members who have served in the Senate, appointed by President of Senate; three persons who have served in the House, appointed by Speaker of House; and nine persons appointed by Governor. Members to be appointed on July 1, 1967 and serve until completion of duties assigned to commission.

Commission declared created for special purpose and membership thereon not public office. Chairman of commission to be designated from membership by Governor. Commission to have following powers and duties: (1) With approval of Governor and Council of State and NC State Capital Planning Commission, to determine site for building of State Art Museum on land denominated as Heritage Square. (2) To employ architects to prepare plans for said building, and to approve plans. (3) To enter on behalf of State into construction contracts for building, consultative services and other services and material in connection with location, design, construction, furnishing and equipping of building. (3) To supervise generally location, construction, furnishing, equipping, renovating and care of said building. (4) To call upon Dept. of Administration, Attorney General, and any other State agency or officer for such assistance Comm'n may require in carrying out duties. (4) To appoint advisory committees composed of non-members. (5) To report to General Assembly at each regular session. (6) To receive gifts of funds from foundations, corporations and individuals and to receive public funds to aid in defraying cost of said building, and surrounding facilities including landscaping. (8) To exercise right of eminent domain to acquire land, right-of-way or easements in manner prescribed by GS Chapter 40, with exception of GS 40-53 (requiring certificate of convenience and necessity from NC Utilities Commission for exercise of eminent domain power) in cases where Comm'n finds it necessary to acquire land, right-of-way or easement and is unable to purchase same from owners at an agreed price, or to obtain good and sufficient title from owner. (9) To exercise all powers necessary to carry out general purpose of act.] To Conservation and Development.

LOCAL BILLS INTRODUCED -- SENATE

SB 625 - (Alamance) Introduced by Scott

"To fix the salaries of the Clerk of Superior Court, Sheriff and Register of Deeds of Alamance County." [Sets annual salaries as follows, effective July 1, 1967: clerk of superior court, $11,500; sheriff, $10,300; register of deeds, $9,000. Act shall not affect power of county commissioners to make allowances to said officers for expenses or for performance of ex officio functions.] To Local Government.

SB 626 - (Cumberland) Introduced by Henley and McGeachy

"Amending G.S. 67-31(1) relating to the powers of a dog warden so as to provide that in Cumberland County the sheriff and his deputies shall share the duty and responsibility of enforcing laws relating to dogs." [Identical with HB 1229, digested in the House section of Bulletin No. 83 at page 835.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 5 - Safe driver licensing. Reported favorably; placed on calendar 6/12.

SB 33 - Education board elections. Reported favorably as to committee substitute; committee substitute adopted completely rewriting original bill to provide as follows: (1) Rewrites GS 115-18 to provide that county board of education in each county shall consist of not less than three nor more than nine members whos shall be elected for term of four years. (2) Rewrites GS 115-19 to provide that members of board of education in counties where not elected on effective date of act by vote of people, shall be elected on partisan basis in same manner as members of General Assembly or on non-partisan basis at time of primary election for nomination of candidates for General Assembly. If election non-partisan, ballots shall contain no reference to party affiliation and any qualified voter in county entitled to vote regardless of registered party affiliation. In first election under

act appropriate number of members shall be elected for two and four year terms so that nearly equal number of terms shall expire every two years (where number of terms that expire every two years is unequal a larger number of members shall be elected for four year terms). Candidates elected who receive highest number of votes shall serve four year terms. Terms of office of board members of counties coming under act shall not be shortened and if terms are now staggered, successors shall be elected as terms expire for two year terms. General Assembly may designate, for counties covered by act, number of members to constitute board, districts if any in which they run, and whether election to be partisan or non-partisan; if designation not made such county shall have board consisting of five members elected at large on non-partisan basis. (3) Rewrites GS 115-20 to provide that county board of elections under direction of State Board of Elections shall make provisions for elections of county boards of education under act and file with State Board a statement specifying size and method of election of their respective boards. (4) Rewrites GS 115-22 to provide that persons elected to county boards of education under act must qualify by taking oath by first Monday in December next succeeding election and failure to qualify shall constitute vacancy to be filled under GS 115-24, with such vacancy appointments to qualify within 30 days after notification. (5) Rewrites GS 115-23 to provide that vacancies in partisan nominations for memberships on county boards of education caused by death, resignation, or other reason shall be filled by county executive committee of political party of such candidate. (5) Rewrites G.S. 115-24 to provide that vacancy in board elected under act caused by death, resignation or other reason shall be filled by appointment by State Board of Education of person to serve until next election of members of such board at which time remainder of term shall be filled by election. (6) Act effective July 1, 1967.

SB 107 - Custody-support revision, as amended in Senate 6/12. Floor amendment adopted providing that minor child support payment to be made, among other ways, by "transfer of title or possession of personal property or any interest therein, or a security interest in real property" (in original, by "transfer of title or possession of real or personal property or any interest therein"). Passed third reading.

SB 110 - Landfill acquisition. Amendments adopted (1) adding to GS 160-205 (condemnation by municipalities) provision that when petitioner has made written offer to respondent for property before condemnation proceedings instituted and when condemnation award exceeds offer, CSC shall fix reasonable fee for respondents' attorney, to be part of costs paid by petitioner, and (2) deletes reference to "other garbage disposal sites" as among those purposes for which city may condemn (in original, that purpose and "sanitary landfill sites"). Passed second and third readings.

SB 167 - Safe tire use requirement, as amended in Senate 5/4. Reported favorably as amended; placed on calendar 6/12.

SB 209 - Hospital facility leasing. Passed second and third readings.

SB 211 - Loan collection amendments. Passed second and third readings.

SB 400 - Marshland dredging (Senate committee substitute 6/1). Failed to pass second reading.

SB 412 - Hospital patient statement (Senate committee substitute 6/6). Passed second and third readings.

SB 425 - Administrative procedure. Amendment adopted referring to rules of evidence to be followed by administrative agences as those followed by Superior "and District" Court Divisions (adds quoted words). Passed 2nd & 3rd readings.

SB 426 - Consolidated UNC Trustees (2), (Senate committee substitute 6/5). Passed second reading.

SB 441 - Redevelopment changes. Floor amendment (making technical change in committee amendment) adopted deleting sections 1-7 and 11, relating to (1) establish-

ment of redevelopment of institutional renewal areas, (2) payment of attorney's fees by municipalities in redevelopment condemnation proceedings, and (3) permitting court to reduce interest payable in period between taking and vesting of title (sections remaining intact make certain revisions in otherwise existing redevelopment provisions). Passed second reading; placed on calendar 6/9.

SB 468 - Youth drivers suspension. Reported favorably; placed on calendar 6/12.

SB 480 - Liquor-by-drink control #2. Re-referred to Propositions and Grievances.

SB 507 - Municipal fidelity bonds. Postponed to 6/8.

SB 508 - Municipal bond retirement. Postponed to 6/8.

SB 511 - Foreign ins. co. treatment. Reported favorably as to committee substitute; committee substitute adopted rewriting act to provide that upon receipt by insurance company at home office of registered letter from insured (original bill did not specify "home office" or form of transmittal notice) requesting that it certify to NC Department of Motor Vehicles whether previously issued policy of auto liability insurance (original bill, did not specify "automobile") was in full force on designated day, it shall be duty of company to forward such certification. Failure to comply without good cause (original bill did not specify "good cause") within seven days (original, five days) shall authorize commissioner (original bill made penalty mandatory) to impose civil penalty upon company in amount of $200 for such violation (original bill prescribed penalty of 30 days suspension of license to do business in State). Act now entitled: "A bill to be entitled an act to provide for prompt certification of insurance coverage by insurance companies" (original bill, "To provide for more equitable treatment of North Carolina citizens by foreign insurance companies"). Placed on calendar 6/9.

SB 514 - Unauthorized insurers. Reported favorably as to committee substitute. Committee substitute adopted renumbering new Article created by bill as GS Ch. 58 Art. 3C (originally, 3B) and renumbers section numbers. Adds new GS 58-54.25.1 exempting from GS 58-54.21 (transacting business without certificate of authority prohibited) and GS 58-54.22 (Acts or transactions deemed to constitute transacting insurance business in this State) non-profit life insurance companies operating exclusively to aid educational or scientific institutions and without agents. Placed on calendar 6/9.

SB 515 - Insuring out-of-state. Reported favorably as to committee substitute. Committee substitute adopted renumbering new Article created by bill as GS Ch. 58 Art. 3D (originally, 3C) and making appropriate changes in statutory section numbers; placed on calendar 6/9.

SB 516 - Title insurance, land guarantee. Reported fav.; placed on calendar 6/9.

SB 517 - Watchmaking board, as amended in Senate 6/6. Passed third reading.

SB 519 - Construction indemnification. Passed second and third readings.

SB 571 - Insurance-power of attorney. Reported favorably. placed on calendar 6/9.

SB 581 - State stadium authority. Postponed to 6/8.

SB 607 - Interstate mining compact. Reported fav. as amended. Placed on calendar 6/9.

SB 617 - Coastal fisheries self assessment. Reported favorably as amended. Placed on calendar 6/9.

SB 618 - Liability insurance coverage. Passed second reading; placed on calendar 6/8.

HB 205 - Loose leaf registration. Reported favorably; placed on calendar 6/9.

HB 540 - Discharge of microfilm deeds. Reported favorably; placed on calendar 6/9.

HB 596 - Alcoholic centers costs. Reported favorably; placed on calendar 6/9.

HB 616 - Charitable immunity no defense. Reported fav. as amended; placed on calendar 6/9.

HB 618 - Domestic relations warrants. Reported favorably; placed on calendar 6/9.

HB 738 - Coupled vehicle length, as amended in House 5/19 and 5/22. Proposed committee amendment prohibiting operation of coupled vehicles exceeding 55 feeton 2-lane secondary roads defeated; passed second reading.

HB 907 - After-acquired title, as amended in House 5/26. Reported favorably; placed on calendar 6/9.
HB 937 - Drunk-drugged driving punishment (House committee substitute 5/25), as amended in House 6/2. Received from House; sent to Highway Safety.
HB 1004 - Aged auto insurance. Received from House; sent to Insurance.
HB 1016 - Dying declarations, as amended in House 6/2. Received from House; sent to Judiciary 2.
HB 1025 - Local gov't funds investment, as amended in House 6/2. Received from House; sent to Judiciary 2.
HB 1061 - Municipal bond retirement. Withdrawn from Finance; re-referred to Judiciary 2.
HB 1062 - Municipal fidelity bonds. Withdrawn from Finance; re-referred to Judiciary 2.
HB 1111 - State highway claims. Reported favorably; placed on calendar 6/9.
HB 1153 - Kiddy-ride privilege tax, as amended in House 6/2. Received from House; sent to Finance.

LOCAL BILLS

SB 257 - (Jackson) Commissioners compensation (Senate committee substitute 6/6). Passed.
SB 351 - (Montgomery) Mineral claims, as amended 6/5. Passed third reading.
SB 586 - (Gaston) Bessemer City Charter revision. Passed third reading.
SB 606 - (Durham) Fire district contraction. Passed.

HB 216 - (Mecklenburg) Entire building condemnation. Amendment adopted providing that inability of owner of entire structure condemned under act to rebuild same type of structure because of zoning restriction, or because remaining land is inapt for building permitted by applicable zoning, shall be considered in determining damages to owner caused by taking. Passed.
HB 585 - (Anson) Wadesboro commissioners' pay, as amended in House 5/25. Passed.
HB 760 - (Pitt) Grimesland board comp. Passed.
HB 831 - (Richmond) Officials salary increases, as amended in House 5/25 and in Senate 6/6. Passed.
HB 977 - (Columbus) Chadbourn mayor-commr's pay. Passed.
HB 1156 - (Wake) Raleigh franchises, as amended in House 6/2. Received from House; sent to Judiciary 2.

Next session of Senate: 12 noon, Thursday, June 8, 1967.

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BULLETIN NO. 86
Wednesday, June 7, 1967

Session: House -- 12 noon

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1260 - Introduced by Tart and Phillips
"To amend Article 4A of Chapter 108 of the General Statutes to authorize direct payments to nursing homes and extended care facilities on behalf of certain welfare recipients." [Changes title of GS Ch. 108, Art. 4A from "State Boarding Fund for the Aged and Infirm" to "Direct Payments for Nursing Care"; repeals GS 108-79.1, 79.2, and 79.3 (authorizes State Board of Public Welfare to establish State Boarding Fund and sets out procedure under which benefits may be paid for costs of domiciliary care) and enacts new GS 108-79.1 authorizing Bd. of Public Welfare to make payments to licensed nursing homes and extended care facilities for persons eligible to receive public assistance under old age assistance program or aid to permanently and totally disabled program when nursing care is deemed essential for that person by Bd. of Public Welfare.] To Public Welfare.

HB 1261 - Introduced by McMillan of Robeson
"To provide for the codification and printing of the public school laws of North Carolina and related legislation." [Authorizes Secretary of State with advice of Supt. of Public Instruction to codify and print 5,000 copies of NC public school laws (GS Ch's 115, 115A, 135) and related legislation; copies to be delivered to State Supt. for distribution.] To Appropriations.

HB 1262 - Introduced by McKnight
"To amend G.S. 20-129 pertaining to lighting equipment on vehicles." [Amends cited section to change "front" lamps to "head" lamps as required equipment of motor vehicles.] To Highway Safety.

HB 1263 - Introduced by Jordan
"To provide for the sharing by qualified counties of North Carolina of fifty per cent (50%) of the net individual income taxes collected within such counties by the State of North Carolina, and to further provide that such funds may be used solely for the purposes of school construction and for salaries of school personnel within such counties." [Adds new GS 105-159.1 as title indicates, to distribute to qualifying counties (those in which no ad valorem tax supplements for school construction or for salaries of school personnel have been collected during fiscal year or have set aside or earmarked such collections for such use) 50% of the net collections from NC individual income taxes; amounts distributed to counties not to be considered by Advisory Budget Comm'n or State Board of Education in determining General Fund allocated to counties. Makes conforming amendment to GS 105-131. Requires Comm'r of Revenue to keep separate county-by-county records of individual income tax returns, and amount to State Auditor and Treasurer. Effective for fiscal years beginning July 1, 1968 and thereafter.] To Finance.

HB 1265 - Introduced by Taylor of Transylvania and others
"To amend G.S. 20-96 to allow an overload tolerance for vehicles hauling unprocessed forest products." [Amends cited section adding to penalty provision of GS 20-118 for not procuring license covering empty weight and maximum load on motor vehicles that violator pay additional license fee for gross weight transported at time, but that penalties be assessed against owners of vehicles hauling unprocessed forest products only for portion of overweight load in excess of 1000 pounds above weight for which vehicle is licensed. Effective July 1, 1967.] To Roads.

HB 1267 - Introduced by Hamrick

"To amend the federal tax lien registration act to comply with the federal tax lien act of 1966" [Repeals GS 44, Art. 11 (pertaining to liens for US internal revenue taxes notices for which are now filed with register of deeds) and substitutes new Art. 11 providing: (1) notices of liens upon real property for taxes payable to US and certificates and notices affecting such liens shall be filed in office of CSC of county in which property subject to federal lien is situated. (2) Notices of liens upon personal property for taxes payable to US and certificates and notices affecting such liens shall be filed with Secretary of State if person against whose interest tax lien applies is corporation or partnership with principal executive office in State, or with CSC of county where taxpayer resides at time of filing of notice of lien in all other cases. (3) Certification by Secretary of Treasury or his delegate of notices of liens, certificates, etc. entitles them to be filed. (4) Specific filing procedures set out for filing, refiling or revocation of notice of federal tax lien and other certificates, including those of release, discharge, non-attachment and subordination. (5) Upon request of any person and payment of $2 plus $1 for each notice or certificate, filing officer shall issue certificate showing whether there is on file any notice of federal tax lien or certificate or notice affecting said lien, filed on or after August 1, 1968, naming a particular person, and if notice of certificate is on file, giving date and hour of filing, and he shall furnish copy of any such document for $1 per page. (6) Establishes fees for filing and indexing as follows: tax lien on real property $2 for first page plus $1 per additional page; tax lien on tangible and intangible personal property $2; certificate of discharge or subordination $2; all other notices, including certificate of release or non-attachment $1. District directors of internal revenue shall be billed on monthly basis for fees for documents filed by them. (7) Filing officers with whom notices of federal liens, certificates, and notices have been filed before August 1, 1968, shall, after that date, continue to maintain a file of such documents in numerical order of receipt and if a notice of lien was filed before August 1, 1968, any certificate or notice affecting such lien shall be filed in same office. Effective August 1, 1968.] To Judiciary 1.

HB 1268 - Introduced by Paschall

"Amending certain sections of Article 2, Chapter 106 of the General Statutes, relating to commercial fertilizers." [Adds definition of organic fertilizer to GS 106-50.3 (fertilizer law) as fertilizer in which nitrogen derived primarily from plant and animal remains, and any other plant food elements so derived and basic mineral rocks, and adds new GS 106-50.23, providing that nothing contained in fertilizer law shall prohibit manufacture, distribution, blending, registration, and sale of organic fertilizers and soil builders not containing minimum plant food content required under GS 106-50.10 and license to do same shall not be contingent on minimum or maximum plant food content. Requires specification of materials contained in each brand and grade of such materials to nearest half percentage of total nitrogen, available phosphoric acid, and available potash.] To Agriculture.

HB 1269 - Introduced by Baugh

"To amend Chapter 126 of the General Statutes of North Carolina, so as to require the State Personnel Department to establish employment classifications for handicapped and blind persons, and to amend Chapter 111 of the General Statutes of North Carolina, so as to require the Bureau of Employment of the North Carolina Commission for the Blind to transfer certain of its accumulated funds to the State Treasurer and to further require the transfer of a retirement fund for employees of the Bureau of Employment of the North Carolina Commission for the Blind to the Teachers' and State Employees' Retirement Fund." [Amends GS 126-5(a) (Employees subject to State Personnel System) by making provision applicable to blind employees of Bureau of Employment of NC Commission for Blind (BECB). Amends GS 126-4 by adding new subsection providing for State Personnel Board to adopt rules governing classification for purposes of State employment of handicapped persons, including blind employees of BECB.) Amends GS Ch. 111, Art. 1 by adding new GS 111-12.4 providing that as of Sept. 1, 1967 any non-State funds now held by BECB be transferred to State

Treasurer to extent such funds exceed $60,000. Provides also that any funds now held in any retirement plan or retirement fund for benefit of BECB employees shall as of September 1, 1967 be transferred to TSER Fund where it shall be held by Director of said Fund until such time as employees of Bureau may be classified by State Personnel Director for purposes of State employment. BECB to transfer by Sept. 1, 1967 to State Treasurer for General Fund purposes, amounts it has in any coded accounts lodged with State Treasurer; hereafter unlawful for Bureau to accumulate over $60,000 in any non-State fund.] To State Government.

HB 1270 - Introduced by Baugh

"To amend G.S. 147-58, relating to the duties of the State Auditor, so as to require the Auditor to report to the General Assembly or to the Legislative Research Commission at least annually the amount or amounts of any non-state funds held by state departments, agencies, institutions, boards or commissions." [Adds new GS 147-58(23) requiring State Auditor to make annual report to General Assembly or Legislative Research Comm'n on all accumulated non-state funds held by any state department, agency, institution, board or comm'n (non-state funds defined as all funds not appropriated by General Assembly but not to include funds deposited by anyone solely for purpose of complying with state laws); report to show source and depository of funds.] To State Government.

HB 1271 - Introduced by Edwards and others

"To amend G.S. 160-200 relating to abandoned motor vehicles." [Adds new GS 160-200(44) authorizing municipalities to remove from public or private property motor vehicles found to be abandoned and found inoperable, dismantled or damaged, five years old or older, and worth less than $50; removal to be under direction of official designated by municipality, provided there be no removal from private property without written request of owner, lessee or occupant of property unless vehicle declared health or safety hazard. Removed vehicle to be held at least 15 days and owner may reclaim upon payment of costs. After 15 days, vehicle may be destroyed or disposed of as provided by municipality. Municipalities may, with consent of owner, remove and dispose of vehicles. Proceeds of disposition to be deposited in general fund; notice to be given Dept. of Motor Vehicles of disposition; and no person to be civilly or criminally liable for action taken in accordance with this statute.] To Judiciary 2.

HB 1272 - Introduced by McMillan of Wake and others

"For the relief of Major William B. Lentz of the State Highway Patrol for injuries received in line of duty." [Appropriates to Major William B. Lentz, out of General Fund, $15,000 for all additional compensation for medical and hospital expenses, for loss which will be occasioned by forced early retirement, for all pain and suffering sustained by him, and for permanent disability sustained by him which resulted from injury in line of duty.] To Appropriations.

HB 1273 - Introduced by Williamson and Collier

"To create the Frying Pan Lightship Marine Museum Commission." [As title indicates, creates seven member comm'n, five to be appointed by Southport aldermen as appropriate for 3-year staggered terms and two by Governor, one for 2-years and one for 3-years terms. Southport authorized to convey lightship to Comm'n for use as museum, and comm'n then authorized to operate it as museum, without obligating Southport unless specifically authorized.] To Local Government.

HB 1274 - Introduced by Phillips and Edwards

"Relating to the method of budgeting of school lunch costs." [Amends GS 115-51 to make permissive (now, mandatory) the inclusion in annual budget requests of costs incurred in school food services that are over and beyond statutorily defined "costs of operation".] To Education.

HB 1275 - Introduced by Bunn and others

"To amend G.S. 97-2(6) relating to the definition of injury and personal injury or [sic.] within the meaning of the workmen's compensation act." [Rewrites GS 97-2(6) to define "injury and personal injury" under workmen's comp. act as "only injury arising out of and in the course of the employment" (now, "only injury by accident arising out of and in the course of employment, and shall not include a disease in any form, except where it results naturally and unavoidably from the accident").] To Judiciary 2.

HB 1276 - Introduced by Twiggs and others

"Amending Chapter 97 (Workmen's Compensation Act) so as to provide for the payment by employer of injured employees' attorneys fees." [Adds new GS 97-90.1 providing that in workmen's compensation proceedings brought by injured employee a reasonable attorney's fee to be paid by employer as part of costs if Commission or court orders payment of compensation or continuance of payments to injured employee. Provides for right of appeal by attorney for employee as to allowance of fee. Effective January 1, 1968.] To Judiciary 2.

HB 1277 - Introduced by Taylor of Carteret

"To permit producers, handlers, and processors of fishery and seafood products to act jointly in promoting their industry by use of a self-assessment program." [Identical with SB 617 digested in Senate section of Bulletin No. 84 at page 842.] To Commercial Fisheries and Oyster Industry.

HB 1278 - Introduced by Exum

"To amend Chapter 90 of the General Statutes, relating to the practice of podiatry in North Carolina." [Changes title of GS Ch. 90, Art. 12 to "Podiatrists" (Now, "Chiropodists".) Amends GS 90-189 and GS 90-195 by inserting "podiatrist" wherever word appears in section and headings (now, "chiropodist"). Amends GS 90-190 by providing for election (now, appointment) by NC Podiatry Society (now, NC Pedic Association) of Board of Podiatry Examiners and by inserting "Society" wherever it appears in section (now, "Association"). Amends GS 90-191 providing that applicants to practice podiatry must be graduate of incorporated school of podiatry accredited by National Council on Education of American Podiatry Association (now, graduate of school acceptable to Board of Podiatry Examiners.) Amends GS 90-192 providing for examination in areas of dermatology, podiatry, surgery, materia medica, pharmacology and pathology (now, diagnosis and treatment, therapeutics, clinical podiatry and asepsi Amends GS 90-193 providing for $15 re-examination fee (now, $2.00). Repeals GS 90-194 providing for practioners before enactment of present section to file with Board and to make written application for certificate to practice podiatry. Amends GS 90-198 providing for certificate fee of not more than $50 (now, flat $10) and $25 examination fee (now, $15) and by raising per diem for Board to $7 (now, $4) and authorizing actual travel expenses including mileage at 9¢ per mile (now, actual railroad expenses). Rewrites GS 90-199 providing for annual fee not to exceed $50 (now, not to exceed $10) and that delinquent podiatrists pay $5 for each succeeding month of delinquency until six month delinquency exists, in which case delinquent podiatrist must appear before Board and take new examination before being permitted to practice in State. (Now, provides that any legally registered chiropodist in State who has retired from practice or who has been absent from State may reinstate himself by paying back fees up to five years.) Repeals GS 90-200 (grandfather clause). Effective July 1, 1967.] To Health.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1264 - (Alexander, Burke, Caldwell) Introduced by Kincaid, Tate and Ervin

"To amend Sections 105-306(26); 105-308; 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Boards of Commissioners of Alexander, Burke and Caldwell Counties to prescribe regulations relating to the listing of property for taxation in their respective counties, and to authorize the division or combining of townships for tax listing purposes." [Authorizes county

commissioners of indicated counties (notwithstanding cited GS Sections) to prescribe regulations for their respective counties governing the form of oath and manner of administration (GS 105-306(26) and GS 105-308 relating to oath), firms and corporations listing property in county for taxation, listing property by agents (covered in GS 105-309), and mail listing (covered in GS 105-310). Where property and poll listed by mail, affixing signature to oath or affirmation contained on property listing statement shall be equivalent to taking oath or affirmation, and taxpayer so signing shall be subject to same penalties for violations if his statement is false or fraudulent. Authorizes comm'rs to divide or combine townships for tax listing purposes; authorizes county tax supervisor, with comm'rs' approval, to appoint list takers for each combined or divided unit. Provides for extension of G.S. 105-307 (relating to penalty for failure to list) to cover board regulations relating to matters covered in Act as well as GS provisions not inconsistent with board regulations.] To Local Government.

HB 1266 - (Brunswick) Introduced by Williamson and Collier

"To amend Chapter 510 of the 1965 Session Laws relating to the salaries of certain officials and employees in Brunswick County." [Amends SL 1965, Ch. 510 to change Brunswick officials salaries as follows: (1) register of deeds from $5500 to $6500 per year; (2) judge of Brunswick's recorder's court from $2700 to $3300 per year; (3) CSC from $5500 to $6500 per year; (4) sheriff from $5500 to $5800 per year; (5) field deputies from $320 to $345 per month; (6) office deputy from $285 to $310 per month; and (7) night watchman from $75 to $100 per month. Effective July 1, 1967.] To Local Government.

HB 1279 - (Dare) Introduced by Burrus and Roberson

"To amend Chapter 612, Session Laws of 1967, increasing the amount of funds for enforcement of the A.B.C. laws in Dare County." [Purports to amend SL 1967, Ch. 612 to change from 5% to 10% funds available for enforcing ABC laws in Dare County. (Cited Act relates to Gaston County. Apparently intended to amend Ch. 318 - HB 612).] To Counties, Cities and Towns.

HB 1280 - (Halifax) Introduced by Gregory

"To revise and consolidate the Charter of the Town of Enfield, North Carolina." [Continues Enfield within corporate limits described by metes and bounds. Provides for election of mayor and five comm'rs for 4-year staggered terms, with two comm'rs receiving most votes in 1969 and mayor to serve 4-year terms, Mayor to have casting vote only. Mayor to receive annual compensation of $1,200, and comm'rs $20 for regular and $10 for special meetings. Authorizes board to appoint town clerk, police officers and chief, treasurer and tax collector (may be combined), and any official for better administration of laws and protection of citizens and health. Provides for mayor to preside at board meetings, appoint board committees, effect board orders, chair budget committee, and serve as mayor's court with limited JP-type criminal jurisdiction. Spells out powers of board including fire protection, fire limits, and health protection. Authorizes town to operate electric, gas, water and sewerage systems and to require water and sewer connections. Authorizes town to assess abutting owners one-half cost of curb and gutter, and street and sidewalk paving and surfacing, with charges a specific lien against owners. Authorizes town to condemn land for public utilities, streets, parks, playgrounds, or municipal buildings under GS Ch. 40 or 160 procedures. Authorizes town to appoint planning committee or comm'n to make recommendations to board, which may adopt zoning ordinance and authorize building inspector (or streets-utilities sup't) to enforce. Authorizes board to appropriate funds for municipal recreation program and nontax funds for industrial promotion.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 210 - Banking law amendments, (Senate committee substitute 5/31), as amended in Senate 6/2. Postponed to 6/8.

SR 451 - (Joint Resolution) Barring insurer's advertising. Reported favorably.
SB 478 - Beer and wine taxes, as amended in Senate 6/2. Passed second reading.
SB 527 - Plant pest inspection, as amended in Senate 5/26. Reported favorably.
SB 536 - Highway official titles. Reported favorably.
SB 538 - Bi-state road cooperation. Reported favorably.
SB 550 - Agricultural notice. Reported favorably.
SB 551 - Licensed ins. co. auto plates. Reported favorably.
HB 224 - Contradictory clause reading. Amendment adopted providing that courts determine effect of instrument on basis of intent of parties as it appears from all provision of instrument (originally, courts give effect to intention of parties as collected from whole instrument without giving undue preference to language of any clauses or location in instrument). Passed second and third reading.
HB 280 - Child care licensing, (House committee substitute 5/18). Reported favorably as amended.
HB 458 - Banking law amendments, (House committee substitute 6/1). Postponed to 6/8.
HB 558 - 18-year school attendance. Reported favorably as amended.
HB 619 - Habitual felons, (House committee substitute 6/6). Floor amendment adopted adding that for purposes of determining eligibility for parole for person sentenced to life imprisonment under Act, life sentence to be considered as sentence of forty years. Passed second reading.
HB 803 - Beer and wine taxes. Amendment adopted adding subsection providing that each mfrer. or bottler manufacturing beverages within or outside State sold to Army, Navy, Air Force, Coast Guard Services, or any other military establishment in State to identify such beverages by placing on label, crown, can end or kegs phrase "For Military Use Only", but that other beverages described in GS 18-64(1) intended for sale in NC need not bear special identification other than proprietary crowns, lids or stamps. Floor amendment adopted providing that non-resident manufacturer, wholesaler of beverages, etc., enumerated in GS 18-64(1) shall "if required by Commissioner of Revenue", make advance lump sum excise tax payment (adds quoted words).
HB 936 - Pre-trial exam state witness, (House committee substitute 6/1). Consideration of bill and pending floor amendment postponed to 6/8.
HB 1042 - Gov'tal mutual insurance co. Reported unfavorably.
HB 1086 - Local law officers authority. Passed second and third readings.
HB 1101 - Carrier's gross revenue tax. Passed third reading.
HB 1137 - Oyster, clam leases. Reported favorably.
HB 1142 - Natural seed oyster areas. Reported favorably as amended.
HB 1146 - Local airport bond maturities. Passed third reading.
HB 1163 - Trip licenses. Reported favorably.
HB 1172 - Uninsured motorist insurance. Reported favorably.
HB 1187 - Life ins. co. investments. Reported favorably.
HB 1209 - Add 2 AG court reporters. Reported favorably.

LOCAL BILLS

SB 371 - (Union, Beaufort, Cabarrus, Forsyth, Gaston, Guilford, Johnston, Wake) Animal abandonment, (Senate comm. sub. 6/2). Rec'd from Senate; sent to Jud.1
SB 423 - (Craven) School board compensation. Rec'd from Senate; sent to Education.
SB 577 - (Polk) Tryon school vacancy. Received from Senate; sent to Education.
SB 582 - (Halifax) Roanoke Rapids retirement. Rec'd from Senate; sent to Jud. 2.

HB 469 - (Buncombe) Asheville water changes. Reported unfavorably May 30.
HB 706 - (Gaston) Cramerton incorporation. Amendments adopted making technical change
HB 724 - (Rowan) School board election. Reported favorably as to House committee substitute. Substitute adopted providing for election of two members in 1968 and two in 1970 for 4-year terms; in 1972 three members to be elected

for 4-year terms and successors as appropriate biennially thereafter (originally, election to be held in 1970 and biennially thereafter to fill vacancies of members appointed as their terms expire). Filing fee increased from $5 to $10 and newly elected members to take oath on first Monday in April succeeding election.

HB 732 - (Davie) School board election. Reported favorably as to House committee substitute. Substitute adopted eliminating primary election of four candidates followed by general election of two school board members. Now provides that two candidates receiving highest vote in primary to be elected to 6-year term on Davie Board of Education.

HB 964 - (Carteret) Beaufort open space taking. Received for concurrence in Senate amendment; concurred.

HB 1106 - (Beaufort) Washington election changes. Amendment adopted providing that names of candidates for city council be listed on ballot in order in which they file notice of candidacy. Passed.

HB 1212 - (Macon) Highlands land sale. Passed.

HB 1213 - (Sampson) Clinton single shot voting. Passed.

HB 1219 - (Lenoir) La Grange retirement.. Passed.

HB 1228 - (Guilford) High Pt. personnel probation. Passed.

HB 1229 - (Cumberland) Sheriff to dogs. Passed.

HB 1235 - (Mecklenburg) Charlotte redevelopment bids. Floor amendment adopted making Act applicable to city of Durham. (Original, makes Act applicable only to Charlotte.) Passed.

HB 1237 - (Orange) Carrboro tax liens in C-H. Passed.

BILLS RATIFIED

SB 18 - Income tax exemptions. [Ch. 716]

HB 509 - (Cabarrus) Jurors, as amended in Senate 6/2. [Ch.717]

HB 532 - Hospital district bonds, as amended in House 5/8. [Ch. 718]

HB 567 - (Mecklenburg) Charlotte planned streets, (House comm. subst. 5/30). [Ch.719

HB 646 - State retirement system change, (House comm. subst. 5/31. [Ch. 720]

HB 805 - (Carteret) Beaufort town limits. [Ch. 721]

HB 839 - (Dare) Kitty Hawk incorporation, as amended in Senate 6/1. [Ch. 722]

HB 847 - Sanitary district board pay. [Ch. 723]

HB 857 - UNC Enterprises bonds. [Ch. 724]

HB 887 - (Onslow) Watershed eminent domain. [Ch. 725]

HB 1000 - (Macon, Clay) Hog protection. [Ch. 726]

HB 1006 - (Wilson) School board appointment. [Ch. 727]

HB 1047 - Owl & hawk protection. [Ch. 728]

HB 1049 - Wild turkey taking fine. [Ch. 729]

HB 1057 - (Mecklenburg) Charlotte charter revision. [Ch. 730]

HB 1058 - (Mecklenburg) ABC profits. [Ch. 731]

HB 1095 - (Pamlico) School board land transfer. [Ch. 732]

HB 1132 - (Robeson) Public drunkenness penalty. [Ch. 733]

HB 1150 - (Mecklenburg) County recorder arrest fee. [Ch. 734]

Next session of House: 11:30 a.m., Thursday, June 8, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 87

Thursday, June 8, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 632 - (Joint Resolution) Introduced by Hancock and others
"Requesting the Legislative Research Commission to conduct an extensive study of the problem of providing adequate fire and extended coverage insurance to owners of property in the coastal area of the State of North Carolina." [Directs Legislative Research Commission to study problems of providing adequate fire and extended coverage for property located in coastal areas of State. Commission to receive periodically from NC Commissioner of Insurance reports showing amount of fire and extended coverage insurance written by insurers within State, and premiums collected thereon, in each zone of State, number of risks insured against fire and extended coverage hazards, and reports showing results of any voluntary or other plan which may be adopted by insurers in State or promulgated by Commissioner. Commission may call upon Commissioner or upon any insurer or representative thereof to furnish it information pertinent to scope of study. Study to be published for use of 1969 General Assembly.] To Insurance.

SB 633 - Introduced by Futrell
"An act to appropriate funds to the North Carolina Department of Water Resources." [Appropriates in lump sum to NC Department of Water Resources, from General Fund, $322,029 for fiscal year 1967-68 and $314,301 for fiscal year 1968-69, to provide for enlargement and implementation of office of Director, Staff Services Division, Ground Water Division, Navigable Waterways Division, Stream Sanitation and Hydrology Division, Water Management Division, merit salary increments for personnel, and other expenses of Department. Appropriation additional to any other appropriation to Department for biennium. Effective July 1, 1967.] To Appropriations.

SB 634 - Introduced by Futrell
"An act to appropriate funds to the North Carolina Department of Water Resources for the purpose of supplementing the ground water program." [Appropriates in lump sum to NC Department of Water Resources, from General Fund, $91,756 for fiscal year 1967-68 and $92,356 for fiscal year 1968-69, to provide for operation of state-wide ground-water program which may include acceleration of program of detailed county and regional study and evaluation of ground-water resources, exploratory drilling, testing and construction of a monitor-well system in Coastal Plain, defining boundaries of salt water in coastal water-bearing formations, evaluating flood-plain aquifers of Piedmont and Mountain regions, establishing state-wide system of observation wells and basic data collection, and expanding technical services for development and public, industrial and other ground-water supplies. Appropriation additional to any other appropriation to Department for biennium. Effective July 1, 1967.] To Appropriations.

SB 635 - Introduced by Warren

"To make certain Judges of the District Court Division of the General Court of Justice honorary members of the North Carolina State Bar." [Rewrites GS 84-16(1) to designate as honorary members of State bar, judges of Supreme Court and Court of Appeals of North Carolina (now, "Chief Justice and associate justice of the Supreme Court of North Carolina"). Adds new GS 84-16(5) and (6) to include among listing of honorary members of State bar, all judges of District Court Division of General Court of Justice, who, at time of election or appointment, are members in good standing of State bar and former judges of District Court Division of General Court of Justice, resident in North Carolina but not engaged in practice of law, who, at time of election or appointment, were members in good standing of State bar.] To Courts and Judicial Districts.

SB 636 - Introduced by Bailey

"To amend the Sales and Use Tax Act for the purpose of exempting meals furnished employees in restaurants, cafes, cafeterias, hotel dining rooms and other similar places from said tax." [Amends GS 105-164.13 by adding prepared meals furnished employees in restaurants, cafes, cafeterias, hotel dining rooms and other similar places as part of their compensation to list of items exempted from sales and use tax on tangible personal property. Effective July 1, 1967. Identical with HB 1007, digested in Bulletin No. 70 at p. 671.] To Finance.

SB 638 - Introduced by Morgan

"To appropriate funds to pay office expenses incurred by the Chairman of the Advisory Budget Commission in performance of his official duties." [Identical with HB 1282, digested in the House section of today's bulletin.] To Appropriations.

SB 639 - Introduced by Morgan

"To provide reimbursement for the Speaker of the House of Representatives and the President Pro Tempore of the Senate for expenses incurred in the performance of their official duties." [Identical with HB 1283, digested in the House section of today's bulletin.] To Appropriations.

SB 640 - Introduced by MacLean and others

"To identify slow-moving vehicles and manner for turning such vehicles." [Makes misdemeanor with fine up to $10 operation on public highway or street tractors or slow-moving vehicles or equipment designed for speeds less than 25mph (unless engaged in construction or maintenance work guarded by flagmen or warning signs) without required emblem; requires emblem of substantial construction in triangle form (dimensions and type specified) to be mounted on rear of vehicle near horizontal center; requires mentioned vehicles to come to complete stop before turning from direct line. Effective February 1, 1968.] To Highway Safety.

SR 641 - (Joint Resolution) Introduced by Briggs

"Authorizing the Speaker of the House and the Lieutenant Governor to appoint a member of the House and Senate from Buncombe County to attend ceremonies at the Reems Creek Valley birthplace of Zebulon Vance." [Identical with HR 1284 digested in House section of today's Bulletin.] Passed three readings and sent to House.

SB 645 - Introduced by Wood

"To amend G.S. 126-5 (b) so as to bring the physicians and dentists of certain State institutions, the Deputy Directors, Director of Professional Training and Director of Research of the State Department of Mental Health under the provisions of the State Personnel Act." [Rewrites GS 126-5(b) (listing those exempted from State personnel system) to delete exemption of physicians and dentists on staff of hospitals, mental institutions, reformatories and correctional institutions of State, deputy directors, director of professional training and director of research of State Department of Mental Health. Adds to list of those exempted from State personnel system "physicians and dentists of the educational institutions of the State." Effective July 1, 1967.] To State Government.

LOCAL BILLS INTRODUCED -- SENATE

SB 637 - (Cherokee) Introduced by Moore by request

"To authorize the qualified voters of the town of Andrews, Cherokee County, to determine whether alcoholic beverage control stores shall be operated in the Town of Andrews." [Directs town governing body upon petition of 15% of voters in last town election to call special election on cited question within 60 days after petition filed. No new registration required and specifies manner of election and form of ballot. Provides for closing of stores if later election against operation; specifies that elections not be be held more than every three years but specifies that elections other than first may be called on motion of governing body in addition to petition process. Provides for setting up ABC board in event of favorable vote; chairman and members appointed by governing body - chairman for 3-yr term, one member for two years and one for one year. Gives town ABC board powers and duties of county ABC boards except for GS 18-45 (use of funds for law enforcement), subjects it to State ABC Board per GS 18-39, and makes it generally subject to GS Ch. 18, Article 3 (ABC Act of 1937). Provides for organization and expenses of town ABC board. Provides that from gross revenue, after deduction of salaries and operating expenses and retention of sufficient working capital, remaining revenue distributable quarterly as follows: 70% to town general fund, 30% to county general fund with not less than 15% used for public education.] To Propositions and Grievances.

SB 642 - (Lenoir) Introduced by White

"To amend Chapter 92 of the Public-Local Laws of 1961 relating to Charter of City of Kinston." [Amends cited act to provide that "utilities" as used in act shall include cable TV systems and to authorize city to grant upon reasonable terms franchises for their operation and to prohibit operation without such. Franchise granted may include provisions for control of quality, level, and availability of service, and limitations on territory to be served and on use of streets. Franchise may be suspended or revoked after notice and hearing for failure to comply with terms. Defines cable television system as any system or facility which by means of master antenna, wires, or cables or combination receives, amplifies, modifies, transmits or distributes television, radio, or electronic signal to subscribing members of public for compensation (not to include provision of master antenna service to property owned or leased by provider if no public right-of-way or easement used). City to have authority to construct, operate, and maintain such systems within its limits and in areas served by its electrical distribution system and to make charges to users of it.] To Counties, Cities and Towns.

SB 643 - (Madison) Introduced by Briggs

"To amend Article 6A, Chapter 153 of the General Statutes, so as to authorize the Board of County Commissioners of Madison County to fix the compensation of county officials and employees." [Amends GS 153-48.5 to add Madison to list of counties in which county commissioners empowered under GS Chapter 153, Art 6A to fix compensation and salary of county officers and number, compensation and salary of employees. Specifically repeals SL 1963, Ch. 455 (relating to Madison county employees, their salaries and duties). Effective July 1, 1967.] To Salaries and Fees.

SB 644 - (Union) Introduced by Griffin and Boger

"To amend G.S. 143-135 relating to the letting of public contracts by the City of Monroe." [Modifies GS 143-135 to provide that requirements of GS Chapter 143, Art. 8 (requirements of public building contracts) shall not apply to expenditure of public funds by City of Monroe when total cost of any repairs, completed project, building, or structure shall not exceed $25,000 (now, general limitation applicable to State and subdivisions is $15,000), if such activities are performed or accomplished by or through city officers or agents.] To Local Government.

SENATE CALENDAR ACTION

PUBLIC BILLS

SR 305 - (Joint Resolution) County consolidation study. Reported unfavorably.
SB 400 - Marshland dredging (Senate committee substitute, 6/1). Reconsidered vote by which failed to pass second reading; re-referred to Judiciary 2.
SB 411 - Fraudulent patient information. Reported favorably as to committee substitute. Committee substitute adopted making following changes: Deletes provision that information about other illness may be used with written authoriziation and proviso that Act not to apply to attending physician or assistants when gathering information for purpose of treatment of patient. Makes it clear that to come within defined crime, information about other illnesses must have been obtained for fraudulent purpose or use.
SB 452 - Regulating pharmacists. Reported favorably; placed on calendar for June 13.
SB 508 - Municipal bond retirement. Postponed to June 9.
SB 556 - Butner hospital site cession. Reported favorably.
SB 557 - Additional judges, 5 districts. Reported favorably; rereferred to Appropriations.
SB 578 - Psychologist licensing. Reported favorably as amended.
SB 581 - State Stadium Authority. Postponed to June 12.
SB 618 - Liability insurance coverage. Passed third reading.
SB 629 - Validating guardian ad litem act. Reported favorably.
SR 641 - (Joint Resolution) Zeb Vance ceremonies. Passed three readings and sent to House.

HB 224 - Contradictory clause readings, as amended in House 6/7. Received from House; sent to Judiciary 2.
HB 356 - Water-air resources board (House committee substitute, 5/16). Placed on calendar for June 9.
HB 401 - Rules of Civil Procedure, as amended in House 5/31. Reported favorably. Placed on calendar for June 13.
HB 481 - Criminal evidence review. Reported favorably.
HB 510 - Storing assessment information. Reported favorably.
HB 574 - General Assembly compensation. Reported favorably as amended.
HB 604 - Epileptic drivers licensing (House committee substitute, 5/23). Reported favorably.
HB 738 - Coupled vehicle length, as amended in House 5/19 and 5/22. Re-referred to Highway Safety.
HB 753 - MD cancer report immunity. Reported favorably as amended.
HB 814 - License examiner benefits. Reported favorably.
HB 908 - Liens on personal property, as amended in House 5/24. Reported favorably. Placed on calendar for June 12.
HB 923 - Veterinarians registration fee. Reported favorably.
HB 926 - Realty license revocation. Reported favorably.
HB 982 - Authorizing GOG's. Reported favorably.
HB 1016 - Dying declarations, as amended in House 6/2. Reported favorably.
HB 1025 - Local government funds investment, as amended in House 6/2. Reported fav.
HB 1041 - Auto license denial and hearing. Reported favorably.
HB 1061 - Municipal bond retirement. Reported favorably.
HB 1062 - Municipal fidelity bonds. Reported favorably as amended.
HB 1086 - Local law officers authority. Received from House; sent to Judiciary 2.
HB 1101 - Carrier's gross revenue tax. Received from House; sent to Finance.
HB 1146 - Local airport bond maturities. Received from House; sent to Finance.

LOCAL BILLS

HB 617 - (Wake) Raleigh privilege ordinances. Passed.
HB 727 - (Columbus) Whiteville charter revision, as amended in Senate 5/18. Floor amendments adopted making following changes in original: (1) Providing regular municipal elections shall be held on "Tuesday after the" first Monday in May (adds quoted words). (2) Deletes provision that neither mayor nor city council nor any of its committees or members shall in any manner take part in the appointment or removal of officers and employees in the administrative service of the City. (3) Deletes from act all of Article XI, relating to assessment of costs for street improvements and Article XII, relating to assessment of costs for sidewalk improvements, and re-numbers act accordingly.
HB 740 - (Rutherford) CSC filing of papers, as amended in House 5/17. Passed.
HB 756 - (Carteret) Commissioners' law practice. Passed.
HB 832 - (Richmond) Rockingham retirement plan. Passed.
HB 934 - (Rutherford) Bay rum prohibition. Passed.
HB 952 - (Jones) Watershed condemnation. Passed.
HB 1053 - (Greene) Snow Hill officials. Passed.
HB 1106 - (Beaufort) Washington election changes, as amended in House 6/7. Received from House; sent to Counties, Cities and Towns.
HB 1114 - (Wake) Fuquay retirement. Passed.
HB 1129 - (Halifax) Enfield land sale. Passed.
HB 1130 - (Halifax) Enfield fire property sale. Passed.
HB 1131 - (Robeson) Fairmont primaries. Passed.
HB 1138 - (Moore) School land sale. Passed.
HB 1160 - (Cleveland) Shelby aldermen salaries. Passed.
HB 1179 - (New Hanover) Corporate non-usury loans. Passed.
HB 1212 - (Macon) Highlands land sale. Received from House; sent to Counties, Cities and Towns.
HB 1213 - (Sampson) Clinton single shot voting. Received from House; sent to Counties, Cities and Towns.
HB 1219 - (Lenoir) La Grange retirement. Received from House; sent to Counties, Cities and Towns.
HB 1228 - (Guilford) High Point personnel probation. Received from House; sent to Counties, Cities and Towns.
HB 1229 - (Cumberland) Sheriff to dogs. Received from House; sent to Counties, Cities and Towns.
HB 1235 - (Mecklenburg) Charlotte redevelopment bids, as amended in House, 6/7. Received from House; sent to Counties, Cities and Towns.
HB 1237 - (Orange) Carrboro tax liens in Chapel Hill. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

HB 585 - (Anson) Wadesboro commissioners' pay, as amended in House 5/25. [Ch. 735]
HB 760 - (Pitt) Grimesland board comp. [Ch. 736]
HB 964 - (Carteret) Beaufort open space taking. [Ch. 737]
HB 977 - (Columbus) Chadbourn mayor-comm'rs pay. [Ch. 738]

Next session of Senate: 9:00 a.m., Friday, June 9, 1967.

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BULLETIN NO. 87

Thursday, June 8, 1967

Session: House -- 11:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1281 - Introduced by Staton
"Relating to the Teachers' and State Employees' Retirement System of North Carolina." [Amends GS 135-4 (a) (filing of statement of service by members of Reitrement System to qualify for retirement benefits) to provide that such members retiring on or after July 1, 1967 with credit for not less than five years of membership service shall file statement of such service as teacher or employee rendered prior to July 1, 1941, for which he claims credit (now, such filing required only by those retiring on or after July 1, 1965 with credit for not less than ten years membership service). Effective July 1, 1967.] To State Personnel.

HB 1282 - Introduced by Mills of Anson and others
"To appropriate funds to pay office expenses incurred by the Chairman of the Advisory Budget Commission in performance of his official duties." [Appropriates from General Fund to Department of Administration for '67-'69 biennium $5,000 to pay clerical, postage, and other office expenses incurred by Chairman of Advisory Budget Commission in official duties. Effective July 1, 1967. Identical with SB 638.] To Appropriations.

HB 1283 - Introduced by Mills of Anson and others
"To provide reimbursement for the Speaker of the House of Representatives and the President Pro Tempore of the Senate for expenses incurred in the performance of their official duties." [Adds new GS 120-4 entitling Speaker and President Pro Tem to subsistence and travel allowances as prescribed in GS 138-5(b) (subsistence to members of State boards when travelling on business now in following amounts: 8¢/mile plus tolls for private car, convention registration fees, actual fare for public conveyance, actual amount, not exceeding $20/day for room, meals, and reasonable gratuities, with allowance for meals when attending meetings in home town) and providing that clerical, postage, and other office expenses incurred in performance of their duties when General Assembly not in session shall be charged against funds for operation of Legislative Research Commission. Effective July 1, 1967. Identical with SB 639.] To Appropriations.

HR 1284 - (Joint Resolution) Introduced by Greenwood and Harkins
"Authorizing the Speaker of the House and the Lieutenant Governor to appoint a member of the House and Senate from Buncombe County to attend ceremonies at the Reems Creek Valley Birthplace of Zebulon Vance." [As title indicates; ceremony to occur on June 17.] Passed three readings and sent to Senate.

HB 1285 - Introduced by McMichael
"To amend G.S. 97-99, relating to the cancellation of workmen's compensation insurance policies, so as to require the carrier to effect cancellation only by registered or certified mail." [Amends cited section (relating to policies of workmen's compensation insurance) to provide that no cancellation by insurer requiring notice of intent by registered or certified mail (that is, any cancellation other than one occurring by expiration of policy) shall be effective unless such notice is given.] To Judiciary 1.

HB 1288 - Introduced by Bunn and Johnson of Wake
"To amend G.S. 14-401.9 entitled, "Parking Vehicles in private parking space without permission." [Rewrites cited section (making misdemeanor of action

indicated in title) by deleting requirement that for prohibition to be effective parking spaces within lot shall be marked with name of each individual lessee or owner, making applicable the presumption that registered owner of car was parker thereof (per GS 20-162.1), and providing that vehicle so parked may be removed by person in control of premises to vehicle storage place with reasonable costs therefor to be lien payable by owner before repossession and that no person shall be held criminally or civilly for such removal.] To Judiciary 1.

HB 1289 - Introduced by Bunn and Johnson of Wake

"To amend G.S. 160-200(43) relating to abandoned vehicles." [Rewrites cited paragraph (power of municipality to remove abandoned vehicle from streets) to provide (1) that "written" notice of removal be given "by mail" to registered owner (adds quoted words); (2) that unclaimed vehicle of less than $50 appraised value may be disposed of by means in discretion of governing body or designated officer (now, all such vehicles to be sold under prescribed procedures); (3) that upon receipt of municipality's bill of sale for such vehicle, DMV shall issue any required certificate of title to purchaser; (4) that vehicle "determined" (now, "deemed") to be abandoned under following circumstances: left on street in violation of parking ordinance, nondisplay of current license plate, partially dismantled or wrecked, incapable of self-propulsion or originally intended method of movement, left on property owned or operated by municipality or on street for period not less than 24 hours, or left on private property without owner's consent for not less than two hours (now, when left unattended for 24 hours on street in violation of parking ordinance, on municipally-owned or operated property for not less than 48 hours, or on street highway or private property for not less than seven days). Provides that ordinance may prohibit any person's leaving or allowing to remain any partially dismantled nonoperating junked or discarded vehicle on property under his control, or abandoning vehicle within municipality. Defines vehicle or motor vehicle to include all machines designed to be self-propelled or pulled and intended to travel along ground by means of wheels, treads, runners, or slides. Act not to apply to vehicle in enclosed building or on premises of lawful business when necessary to operation of business or in lawful storage place of municipality.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1286 - (Northampton) Introduced by Jernigan and Burden

"To amend Chapter 334 of the Session Laws of 1963, relating to the tax collector and tax supervisor in Northampton County." [Amends cited act (establishing office of tax collector) to empower county commissioners to impose duties and responsibilities of county tax supervisor upon county tax collector.] To Local Government.

HB 1287 - (Hertford) Introduced by Jernigan and Burden

"To incorporate the Town of Como in Hertford County." [As title indicates. Town to have rights of incorporated cities in State with its area to be that within 1-mile radius of intersection of US Hwy. 258 and NC Rd. 1317. Governing body to consist of mayor (Guy C. Hill) and four commissioners (Linwood Whitley, Earl Fitzwater, Joyce C. Brett, and Hugh B. Picot), all appointed until successors elected as provided. Governing body may appoint authorized officers and have other powers of town. Mayor to have casting vote only. Provides for municipal elections for named officials on Tuesday after first Monday in May 1969, and biennially thereafter in accordance with applicable state law. Any qualified elector of town may become candidate by filing written notice of candidacy with mayor or other person designated by board, not less than ten days prior to date of election and by payment of filing fee fixed by board, not to exceed $3.] To Local Government.

HB 1290 - (Macon) Introduced by McGlamery

"Relating to the use of National Forest Funds received by Macon County." [Amends S.L. 1947, Ch. 223, (allocation of funds indicated by title and received by Clay and Macon Counties) by removing Macon from its application, and provides that

such funds may be expended by county commissioners for any authorized county public purpose including aid or assistance in supporting hospitals (now, allocated to funds of county in proportion to amount of each fund).] To Local Government.

HB 1291 - (Cumberland) Introduced by High and Bryan
"To provide for the levy, pursuant to an election, of a special tax for operating and maintaining public county auditoriums in Cumberland County." [Authorizes county comm'rs to submit to voters of county question of annual levy on property for purpose indicated in title, at not to exceed 5¢/$100 valuation. Question may be submitted at any general or special election, to be held in same manner as bond election. Statement of results of election to be prepared by Comm'rs, signed by majority thereof, and delivered to clerk of board who shall record same and publish it once in paper of general circulation in county. Bars action contesting validity of election not commenced within 30 days of publication of statement. If approved, board may levy tax, to be in addition to all other taxes, to be levied and collected as other taxes, and with funds to be used only for purpose voted.] To Judiciary 2.

HB 1292 - (Cumberland) Introduced by High and Bryant
"To authorize the Board of Commissioners of Cumberland County to expend, in their discretion, non-tax revenues for the maintenance and operation of the Memorial Auditorium in said county." [As title indicates. No limit on amount so spent, and declares such a necessary expense of county.] To Judiciary 1.

HB 1293 - (Pender) Introduced by Mills of Onslow
"Relating to the authority of the Boards of Commissioners of Surf City and Topsail Beach to regulate and prohibit surfing on the waters of the Atlantic Ocean." [Grants authority as title indicates; comprehensive ordinances may so regulate on waters adjoining or bounding corporate limits of towns.] To Counties, Cities, and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 107 - Custody-support revision, as amended in Senate 6/2 and 6/7. Received from Senate; sent to Judiciary 1.
SB 110 - Landfill acquisition, as amended in Senate 6/7. Received from Senate; sent to Judiciary 2.
SB 209 - Hospital facility leasing. Received from Senate; sent to Judiciary 1.
SB 211 - Loan collection amendments. Received from Senate and placed on calendar. Passed second reading.
SB 223 - Duct heating licensing, as amended in Senate 5/10, (Senate committee substitute 6/1). Reported favorably.
SB 410 - Counsel fees, insurance suits, as amended in Senate 5/31. Rept'd favorably.
SB 412 - Hospital patient statement, (Senate committee substitute 6/6). Received from Senate; sent to Judiciary 1.
SB 425 - Administrative procedures, as amended in Senate 6/7. Received from Senate; sent to Judiciary 1.
SB 436 - Bedding stamp fee. Reported favorably.
SB 440 - Unclaimed clothing changes. Reported favorably.
SB 478 - Beer and wine taxes, as amended in Senate 6/2. Passed third reading.
SR 512 - (Joint Resolution) Pilot Mountain State Park. Reported favorably.
SB 517 - Watchmaking Board, as amended in Senate 6/6. Received from Senate; sent to Judiciary 2.
SB 519 - Construction indemnification. Received from Senate; sent to Judiciary 2.
HB 255 - Building for handicapped. Reported favorably as amended.

HB 280 - Child care licensing, (House committee substitute 5/18). Floor amendments adopted in lieu of committee amendment providing that all local health departments assist and cooperate with State Board of Health in administration of Act, that Act not apply to keeping of children who are students six years old or older engaged in regular course of study in public or private schools or colleges (original refers only to students), that terms of office of Advisory Committee begin in January rather than July, 1968, making Act effective July 1, 1968 rather than six months after ratification, and making technical changes. Rereferred to Appropriations.

HB 400 - Forty year title clear, (House committee substitute 5/16) as amended in House 5/16. Reported favorably.

HB 619 - Habitual felons, (House committee substitute 6/6), as amended in House 6/7. Floor amendment adopted adding provision that for purposes of Act, felonies committed before a person reaches 21 not to constitute more than one felony. Passed third reading.

HB 803 - Beer and wine taxes, as amended in House 6/7. Postponed indefinitely.

HB 936 - Pre-trial exam State witness, (House committee substitute 6/1). Passed third reading.

HB 959 - Joint stock ownership. Reported favorably as to House committee substitute. Substitute adopted completely rewriting bill, adding GS 25-8-407 providing that shares of corporate stock or investment securities may be owned by husband and wife as joint tenants with right of survivorship and not as tenants in common. (Original, share of corporate stock or investment security may be owned by two or more persons as joint tenants with right of survivorship.) Provides that joint tenancy shall: (1) exist when such shares or securities indicate that they are owned with right of survivorship or otherwise clearly indicate an intention that upon death of either spouse interest of decedent to pass to surviving spouse (original, such tenancy to exist when share or security indicates that it is owned jointly or owned with right of survivorship or otherwise clearly indicates intention that upon death of any owner interest of decedent to pass to surviving owners); (2) exist when a broker or custodian holds shares or securities for joint tenants and indicates that shares or securities are owned with right of survivorship or that upon death of either spouse interest of decedent to pass to surviving spouse with money in hands of broker derived from sale of such shares or securities to be treated in same manner as such shares (new); (3) pass to surviving joint tenant upon death of a joint tenant with interest of deceased joint tenant to remain liable for debts of decedent in same manner as personal property included in his estate with recovery to be made from surviving tenant when decedent's estate insufficient to satisfy debts (original, joint tenancy to be part of personal estate of joint tenant and subject to claims of his creditors and governmental rights in manner of other personal property upon his death, but to be distributed to surviving tenants). Provides that nothing in act to be construed to modify any of provisions of GS 105-2, GS 105-11, and GS 105-24 relating to administration of inheritance tax laws or any other provisions of law relating to inheritance taxes.

HB 980 - Regulating pharmacists. Reported favorably.

HB 993 - Dam safety certification. Reported favorably as amended.

HB 994 - Wells contractors licensing. Reported favorably as amended.

HB 995 - Well drilling changes. Reported favorably as to House committee substitute. Substitute adopted adding provision that Department of Water Resources shall bear expense of delivering test samples to Department (in original, no reference to incidence of these expenses) and that owner of property that is source of samples may authorize early release by Department of analysis of samples; otherwise no release until one year after furnishing of samples to owner (in original, flat prohibition against release) earlier than one month after furnishing copy of analysis to owner with copy to drilling contractor).

HB 996 - Water use information. Reported favorably as to House committee substitute. Substitute adopted adding GS 143-355(k) requiring persons to file, on request of Department of Water Resources, on or before 15th of month succeeding month during which water use occurred a report on form furnished by Department identifying withdrawal facility, location, withdrawal rate and total monthly withdrawal of all waters they use, withdraw, divert, or obtain from surface streams, lakes and underground water sources (original, generally directed Department to establish system of reporting).
HB 997 - Flood plain management. Reported favorably.
HB 998 - Local water storage assurances. Reported favorably.
HB 1112 - Morgage brokers license. Reported favorably as to House committee substitute. Substitute adopted adding to GS 105-88 (requiring privilege licenses of loan companies) provision that no real estate mortgage broker shall be required to obtain license merely because he advances his own funds and takes security interest in real estate to secure such advances when at that time he has already made arrangements with others for sale or discount of obligation at later date and does so before advancing his own funds (in original, only specified that licenses not required of real estate mortgage brokers under section).
HR 1117 - (Joint Resolution) County doctor study. Reported favorably.
HB 1136 - Wholesale fish dealers. Reported unfavorably.
HB 1161 - Minors in bowling alleys. Reported favorably.
HB 1162 - Posting political ads. Reported unfavorably.
HB 1166 - Exempt radio telephone. Reported favorably.
HB 1220 - Pers'l injury med'l report. Reported favorably.
HB 1231 - Child detention alternate. Reported favorably.
HB 1245 - Metal dealer regulation. Reported favorably as amended.
HB 1253 - Revenue Act codification. Reported favorably.
HB 1254 - Machinery Act codification. Reported favorably.
HB 1270 - Non-State funds report. Reported favorably.
HB 1273 - Frying Pan Lightship Comm'n. Reported favorably.
HB 1278 - Podiatry practice changes. Reported favorably.
HR 1284 - (Joint Resolution) Zeb Vance ceremonies. Passed three readings.

LOCAL BILLS

SB 207 - (Randolph) County Bd. of Ed. elections. Passed.
SB 257 - (Jackson) Commissioners' compensation, (Senate committee substitute 6/6). Received from Senate; sent to Local Government.
SB 341 - (Madison) Tax lien limitation. Reported unfavorably.
SB 342 - (Madison) Property tax valuation. Reported unfavorably.
SB 351 - (Montgomery) Mineral claims, as amended in Senate 6/5. Received; sent to Judiciary 1.
SB 541 - (Henderson) School tax levy vote, as amended in Senate 5/29. Amendment adopted providing that election be held upon request of Henderson County Board of Education (original, only that election be held within 90 days from effective date of Act) and that County Board of Elections to have authority to establish new voting precincts where needed, to provide election officials for new precincts and to provide for new registration of voters in precincts in which it is found to be necessary with registration procedure to be in accordance with provisions of GS 115-122 insofar as they are applicable (original, provides that there be no new registration of voters but that County Board of Elections may establish new voting precincts where needed and to provide election officials for new precincts).
SB 586 - (Gaston) Bessemer City Charter revision. Received from Senate; sent to Counties, Cities and Towns.
SB 606 - (Durham) Fire district contraction. Received from Senate; sent to Judiciary 2.

HB 86 - (McDowell) Sheriff office pay increase. Reported unfavorably.
HB 216 - (Mecklenburg) Entire building condemnation, as amended in Senate 6/7. Received for concurrence in Senate amendment; concurred.
HB 332 - (Avery) Crossnore Charter revision. Passed third reading.
HB 678 - (Iredell) Tax discounts. Reported unfavorably.
HB 724 - (Rowan) School board election, (House committee substitute, 6/7). Passed.
HB 732 - (Davie) School board election, (House committee substitute 6/7). Passed.
HB 831 - (Richmond) Officials salary increases, as amended in House 5/25 and in Senate 6/6. Received for concurrence in Senate amendment; concurred.
HB 865 - (Lincoln) School merger election. Reported favorably as to House committee substitute. Substitute adopted making following changes or additions to original: (1) removing requirement that election on consolidation be held only if feasibility report by State Board of Education is favorable; (2) providing that consolidated board be composed of nine members, seven chosen from candidates of political parties of each of seven township districts, and two at large (in original, seven total chosen from those districts without reference to party affiliation), and providing for partisan nomination for those positions and election between nominees of parties of each district, or at large, with nominee receiving most votes in each district to be elected and two at-large candidates receiving highes number of votes; (3) providing that title to property, liabilities, etc., and full control of school facilities shall vest in Joint Board (interim board composed of members of both present boards); (4) providing for vacancies and compensation; (5) providing that four township district members receiving most votes and one at large member receiving most votes serve 4-year terms and the others 2-year terms (in original, six and four year terms for seven members); (6) compensating members with $25 for each regular meeting and $15 for each special meeting (in original, $15/day for chairman and $10/day for others); (7) authorizing county commissioners to submit at consolidation referendum questions pertaining to consolidation including tax or bond levy not exceeding lawful limitation.
HB 1125 - (Wilson) Elm City school board vote. Floor amendment adopted providing that candidates for election be qualified voters of Elm City School District.
HB 1170 - (Currituck) Incorporating Bell's Island. Passed third reading.
HB 1178 - (Forsyth) Dog regulation. Passed.
HB 1208 - (Ashe) School board conveyance. Passed.
HB 1211 - (Mecklenburg) School board vacancies. Passed.
HB 1239 - (Forsyth) CSC small estates admin. Passed.
HB 1251 - (Moore) School board election. Amendment adopted providing that County Board of Education shall consist of eight members to be elected as provided in act on and after first Monday in December (original, on and after December 1, 1968) and that all members of Board of Education elected in any year in which primary is held for purpose of filling a vacancy caused by an expired term shall take office on first Monday in December of year in which they are elected.
HB 1252 - (Avery) School board land conveyance. Passed.

Unnumbered House Resolution

HR [D] - Introduced by Britt of Robeson and others
"Expressing appreciation to Honorable Carl Goerch." [As title indicates.] Passed three readings.

Next session of House: 9:00 a.m., Friday, June 9, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 88

Friday, June 9, 1967

Session: Senate -- 9:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 646 - Introduced by Boger

"To amend G.S. 55-52 (c) (6) relating to the purchase by a corporation of its own stock." [Amends cited section to allow corporations (under conditions already specified) to purchase own shares from shareholders "which at the time are listed and traded on a securities exchange regulated or supervised by the Securities and Exchange Commission or other regulatory authority of the United States government or of a corporation which is subject to the Securities Act of 1933 as amended." (Adds underlined words to existing language which is set forth in quotes.)] To Judiciary 2.

SR 647 - (Joint Resolution) Introduced by Moore

"Authorizing the President of the Senate to appoint one or more calendar committees to consider bills referred to said committees." [As title indicates; appointments to be made when considered appropriate by President; calendar committees to consider all bills except bills relating to Finance and Appropriations may continue to be referred to those committees.] Passed three readings.

SB 648 - Introduced by White of Cleveland

"To permit a referendum in municipalities concerning the sale of alcoholic beverages." [Authorizes any incorporated municipality in NC having organized municipal police force of one or more full-time officers each receiving annual salary and located in county that has not established an ABC system, or any municipality which is county seat, to call ABC election; and requires State ABC board to determine, upon application of town governing board, if town meets conditions. Directs calling of such election upon petition signed by 25% of registered voters of municipality. Requires 30 days notice prior to opening of registration; books to remain open for same period as for regular municipal election; new registration not required; prescribes form of ballot. Provides no election may be held under this act on or within 30 days of regular municipal election; date of election to be fixed by municipal governing body; no ABC election may be held within 3 years of holding of last such election under this act. Provides for election call at least 60 days before election date; city election to be stayed if, within 30 days following election call, county referendum is called pursuant to GS 18-61; if county votes against ABC system, city election shall be re-scheduled with at least 20 days' notice given prior to opening of registration; if county vote favors ABC system, no municipal election shall be held. Directs governing body, if vote is favorable, to certify results to State ABC Board and create municipal ABC board composed of chairman and two members appointed by governing body for three year staggered terms at salaries fixed by governing body. Confers on any municipal ABC

board created under this act all powers imposed by GS 18-45 on county ABC boards and subjects it to powers of State Board under GS 18-39; provides elections to be conducted under law governing municipal elections and costs paid from municipal general fund. Directs distribution of profits as follows: 5% - 15% for law enforcement and education; of remainder, 50% to municipal general fund and 50% to county general fund. Directs board to appoint law enforcement officers, with county-wide jurisdiction and same powers as county officers under GS 18-45(15). Provides that, upon establishment of county ABC system subsequent to establishment of municipal system under this act, municipality shall close municipal stores within six months and place sale proceeds in municipal general fund. Provides that, upon closing of municipal stores, municipality entitled to share of county ABC profits based on percentage of municipal population to total county population.] To Propositions and Grievances.

SB 649 - Introduced by Futrell

"To make certain supplemental appropriations to the Department of Water and Air Resources to be expended for carrying out the statewide program of air pollution control and other purposes." [Identical with HB 1294, digested in the House section of today's bulletin.] To Appropriations.

SB 651 - Introduced by Warren

"To amend G. S. 7A-134 to give family court counselors the same powers and authority as juvenile court probation officers." [Amends cited section by granting counselors powers and authority of juvenile court probation officers per GS 110-33 (general duties and powers, including authority to act as peace officer).] To Courts and Judicial Districts.

SB 652 - Introduced by Warren

"To amend Chapter 7A of the General Statutes to permit multiple defendants in small claim actions to be from different counties." [Amends GS 7A-211 by authorizing assignment of small claim actions with more than one defendant to magistrate if one defendant is bona fide resident of magistrates county (now, all defendants must be residents of magistrate's county).] To Courts and Judicial Districts.

SR 654 - (Joint Resolution) Introduced by MacLean

"Authorizing and requesting the Courts Commission to make a study and recommendations to the General Assembly for implementing a public defender system in North Carolina." [Directs Courts Commission to make study of administration of justice in NC courts and to make recommendations to General Assembly for implementation of Public Defender System.] To Courts and Judicial Districts.

SB 655 - Introduced by Buchanan

"To authorize the State Board of Education to establish an extension unit of the North Carolina System of Community Colleges in Henderson County." [As title indicates; appropriates from General Fund to State Board of Education $191,040 for 1967-68 and $115,099 for 1968-69 to equip and operate unit.] To Education.

SB 656 - Introduced by Rauch

"Relating to the deduction for income tax purposes of contribution to self-employed retirement plans." [Amends GS 105-138(10) (exempting from income tax certain pension, profit sharing stock bonuses and annuity trusts) to include within the definition of "trusts" retirement plans adopted by self-employed individuals or owner-employees. Makes conforming changes in GS 105-147(20) (allowing deductions from net income of amounts paid by employer to covered trusts). Applies to contributions made to retirement plan after December 31, 1966. "Iden. HB 1312."] To Finance.

LOCAL BILLS INTRODUCED -- SENATE

SB 650 - (Edgecombe) Introduced by Bridgers
"Relating to the town clerk in the Town of Speed, Edgecombe County." [Authorizes town board of commissioners to appoint town clerk who does not reside within corporate limits.] To Counties, Cities and Towns.

SB 653 - (Robeson) Introduced by MacLean
"To authorize the city of Lumberton to convey real property to a joint library established by Robeson County and the city of Lumberton." [As title indicates.] Passed three readings and sent to House.

SB 657 - (Onslow) Introduced by Ellis
"To continue the incorporation of the city of Jacksonville and to codify, amend and consolidate the statutes that constitute the Charter of the City of Jacksonville, and to repeal certain Acts and portions of certain Acts constituting a part of its present Charter." [Continues Jacksonville within existing corporate limits. Provides for election of mayor and four councilmen for two year terms; council to select mayor pro-tem from membership. As determined by council, mayor to receive annual compensation up to $2400, mayor pro-tem up to $1500, and councilmen up to $1200. Provides for council to appoint city manager with prescribed duties who may appoint other needed city officers and specifies "Plan D" form of government; council to employ city attorney. Spells out procedure for filing certain claims against city. Sets out powers of city with respect to taxation and finance. Provides for city attorney, clerk, tax collector, treasurer and other officers council deems necessary. Grants police force one mile extra territorial jurisdiction. Grants city same condemnation rights as provided for municipalities generally. Provides for holding regular city election in odd years on Tuesday after first Monday in May; prohibits primaries. Sets out special procedures for disposal of surplus real and personal property. Repeals all laws in conflict with Act, but continues effectiveness of city code and ordinances not in conflict.] Placed on calendar for June 12.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 33 - Education board elections, (Senate committee substitute 6/7). Placed on calendar for 6/12.
SB 394 - Assigned risk liability hike. Reported favorably.
SB 411 - Fraudulent patient information, (Senate committee substitute 6/8). Passed second and third readings.
SB 426 - Consolidated UNC trustees (2), (Senate committee substitute 6/5). Placed on calendar for 6/12.
SB 441 - Redevelopment changes, as amended in Senate 6/7. Passed third reading.
SB 482 - Coastal area insurance #II. Reported favorably as to committee substitute; committee substitute adopted to make changes in original bill as follows: (1) Deletes provision for insurance applicant to receive upon request a copy of insurer report to NC Commission of Insurance of refusal to write fire and extended coverage in "beach area". Such a report to commissioner required of all licensed insurers writing policies in State (original bill required such report only from those not subscribing to "voluntary" plan approved by commissioner). (2) Deletes requirement for public hearing by commissioner before approving any voluntary plan for writing of fire and extended coverage in "beach area" which they submit to him but adds provision requiring a public hearing in event commissioner formulates such a plan himself. (3) Deletes provision for formal subscription by insurance companies to voluntary plan. (4) Deletes provisions for quarterly report by non-subscribing insurers of fire and extended coverage insurance issued in beach area; and requirement that such companies have agent in area; and

provisions for revocation or suspension of their licenses by commissioner or imposition of fine by commissioner in event of habitual refusal to insure property in area; and for hearing and judicial appeals on such action. (5) Requires report by agents (original bill, agents or brokers) on refusal to take or submit application for fire and extended coverage insurance in area to commissioner within 20 days (original bill, 10 days). (6) Adds provision for periodic reports by commissioner to Legislative Research Commission of results of voluntary plan or any plan formulated by commissioner in regard to insurance in the area as well as reports on amount of fire and extended coverage insurance written with respect to beach area and other pertinent information requested by research commission. Commissioner may require NC Fire Insurance Rating Bureau to furnish pertinent data and statistics. (7) Adds provision requiring licensed insurers writing fire and extended coverage insurance in State, except town or county mutual insurance association as authorized by GS 58-77(5)d, to make annual report to commissioner which shall include disclosure of amount of insurance written and number of risks insured in beach area and gross insurance premiums by zones and beach area collected throughout State. (8) Makes act effective on ratification (original bill, November 1, 1967).

SR 489 - (Joint Resolution) Public school study commission. Reported favorably as amended.

SB 507 - Municipal fidelity bonds. Postponed indefinitely.

SB 511 - Foreign Ins. Co. treatment, (Senate committee substitute 6/7). Passed second and third readings.

SB 514 - Unauthorized insurers, (Senate committee substitute 6/7). Passed second and third readings.

SB 515 - Insuring out-of-state, (Senate committee substitute 6/7). Passed second and third readings.

SB 516 - Title insurance, land guarantee. Passed second and third readings.

SB 537 - Alter & abandon NC roads. Amendment adopted to delete exemption for relocated roads per GS 136-55, to require SHC to notify by registered mail or personal delivery (now, by posting at courthouse door) and to delete requirement that notice contain map or sketch. Passed 2nd & 3rd readings.

SB 548 - Child care licensing (3). Amendments adopted providing that all local health departments assist and cooperate with State Board of Health in administration of Act, that Act not apply to keeping of children who are students six years old or older engaged in regular course of study in public or private schools or colleges (original refers only to students), that terms of office of Advisory Committee begin in January rather than July, 1968, making Act effective July 1, 1968 rather than six months after ratification, and making technical changes. Postponed to 6/12.

SB 555 - Department of Corrections. Reported favorably as to committee substitute; committee substitute adopted making technical changes and adding provision that if conditional release revoked, revocation order to constitute authority for any prison, parole, or peace officer to arrest prisoner without warrant and return him to facility of State prison system. Provides that inmates of State prison system segregated as youthful offenders on July 31, 1967 under provisions of GS Ch. 15, Art. 21 (segregation of youthful offenders), or who shall be so sentenced prior to August 1, 1967 but who begin to serve such sentences after that date, shall be extended benefits of Art. 3A. (Original defined "committed youthful offender" as one who shall be an inmate of State prison system segregated as a youthful offender on August 1, 1967 or who is sentenced prior to August 1, 1967 even though they begin to serve sentences after that date with no reference to GS Ch. 15, Art. 21,) Provides that court may authorize Department of

Correction to admit offender to appropriate diagnostic and classification center for stipulated time, with Department to report to court its findings within such period as court may grant but that time a youthful offender spends confined for such study not to exceed 90 days or maximum term of imprisonment authorized as punishment for offense with time so spent to be credited on any sentence of commitment imposed on offender. Provides that copy of diagnosis study report to be made available to defense counsel before court pronounces sentence with defendant to be afforded opportunity to controvert contents of report if he requests. (Original provides that Department admit offender to appropriate diagnostic and classification center and that within 60 days from date of court order, or such additional period as court grants, Department to report its findings to court.) Adds provision authorizing commissioner to terminate segregation and treatment as committed youthful offender of any prisoner who, in opinion of commissioner, exercises bad influence upon fellow prisoners or fails to take proper advantage of opportunities offered by segregation and treatment. Provides further that administration of Records Section to be under control and direction of Director of Probation, Commissioner of Correction, and Chairman of Board of Paroles.

SB 556 - Butner hospital site cession. Passed second and third readings.

SB 560 - Hours of female employment. Passed second and third readings.

SB 571 - Insurance--power of attorney. Passed second and third readings.

SB 578 - Psychologist licensing. Amendments adopted to prohibit practice of optometry as well as practice of medicine and making clarifying changes. Passed second reading.

SB 579 - Fed S&L share guarantee. Passed second and third readings.

SB 580 - Life ins. co. investments. Reported favorably.

SB 604 - Substitute trustee validation. Amendment adopted to provide that Act not to affect pending litigation. Passed second and third readings.

SB 607 - Interstate mining compact. Amendment adopted to add two members to Council representing Board of Water and Air Resources appointed by Governor. Passed second reading.

SB 610 - Non-resident trustee agents. Passed second and third readings. Vote by which passed third reading reconsidered. Floor amendment adopted making technical correction. Passed third reading.

SB 611 - Next of kin definition. Passed second and third readings.

SB 612 - Probate by service spouses. Passed second and third readings.

SB 613 - Corporate merger registration. Passed second and third readings.

SB 614 - Metal dealer regulations. Amendment adopted to add requirement that record contain make and type of vehicle hauling scrap and its license plate. Passed second and third readings.

SB 617 - Coastal fisheries self-assessment. Amendment adopted to delete provision requiring treasurer or financial officer to publish statement of receipts and substitute requirement of annual audit to be published at least once in general circulation newspaper in area and to make technical changes. Passed second reading.

SB 629 - Validating guardian ad litem act. Passed second and third readings.

SR 632 - (Joint Resolution) LRC coastal insurance study. Reported favorably.

HB 118 - Clergymens' privilege, as amended in House 5/10. Placed on calendar 6/12.

HB 205 - Loose leaf registration. Passed second and third readings.

HB 214 - Joint tortfeasor contributions, as amended in House 4/12. Amendments adopted:(1) deleting provision that third party defendant may assert his defenses to plaintiffs claim, and that he and plaintiff may assert against each other claims arising from same transaction and defenses thereto and that any party may move for severance, separate trial, or dismissal of third-party claim, (2) specifying that claims made by third-party against

nonparty who may be liable are to be for liability of such party as "a joint tortfeasor", (3) changing effective date from July 1, 1968, to January 1, 1968, and (4) requiring that separate action by tortfeasor to enforce contribution must be begun within one year (in original, six months). Postponed to 6/12.

HB 321 - Pay for aged care. Postponed to 6/13.

HB 356 - Water-air resources board, (House committee substitute 5/16). Amendments adopted to: (1) Provide for two (originally, one) Advisory Councils, one for Water Control and one for Air Control, each consisting of nine (originally, 13) members -- each including one registered professional engineer knowledgeable in air or water pollution, as the case may be; one representative each of municipal government, county government, agriculture, and public health; two representatives from industry (different industries); one licensed physician knowledgeable in air or water pollution, as the case may be; and one acquatic biologist knowledgeable in water quality management. (2) Specify that Attorney General to represent Board on review of Board orders. (3) Specify that one of public members of Air-Water Resources Board shall be connected with and knowledgeable in ground water industry. (4) Restore original bill by providing that various tax exemptions and deductions shall apply to utilities built primarily for sewer service to residential and outlying areas. (5) Rewrites judicial review provision to grant right of appeal to Superior Court of Wake County or of county where decision effective; on appeal Board to send transcript and decision to the superior court, where matter shall be heard and determined de novo only on transcript and other evidence competent in non-jury superior court trials on any question of fact as to which judge in his discretion orders evidence introduced; for good cause court to allow any party to introduce additional evidence on any question of fact; judge to make findings of fact and enter decision at conclusion of hearings; appeals from superior court lie to Supreme Court (without bond by Board); Board to furnish transcript to each party on appeal, and parties to except within 15 days. Passed second reading.

HB 465 - 7% interest rate, (House committee substitute 5/1), as amended in Senate 6/5. Placed on calendar for 6/12.

HB 481 - Criminal evidence review. Passed second and third readings.

HB 510 - Storing assessment information. Passed second and third readings.

HB 513 - Theater girls working hours. Passed second and third readings.

HB 540 - Discharge of microfilm deeds. Passed second and third readings.

HB 574 - General Assembly compensation. Amendment adopted to make it clear that act (installment payments) applies to Sergeant of Arms, Reading Clerks and Principal Clerks of both House and Senate. Passed 2nd & 3rd readings.

HB 582 - Officials records distribution. Floor amendment adopted adding Wingate, Pfeiffer, and Barbara Scotia colleges to covered institutions. Passed second and third readings.

HB 619 - Habitual felons, (House committee substitute 6/6), as amended in House 6/7 and 6/9. Received from House; sent to Judiciary 1.

HB 624 - Trout water impoundments, (House committee substitute 5/30), as amended in House 6/1. Reported favorably as amended; amendment adopted to exempt from Act's requirements impoundments constructed and operated by US Army Corps of Engineers, TVA or other US agencies and impoundments constructed by public utility under NC Utilities Commission.

HB 717 - Pistol hunting rabbit, squirrel. Reported favorably as amended.

HB 814 - License examiner benefits. Rereferred to Appropriations.

HB 923 - Veterinarians registration fee. Passed second reading.

HB 936 - Pre-trial exam State witness, (House committee substitute 6/1). Received from House; sent to Judiciary 2.

HB 982 - Authorizing COG's. Passed second reading.

HB 1025 - Local gov't funds investment, as amended in House 6/2. Passed second reading.
HB 1061 - Municipal bond retirement. Passed second reading.
HB 1062 - Municipal fidelity bonds. Amendment adopted to substitute "faithful performance or honesty" for "fidelity" as descriptive of specified bonds and to make statutory requirement of individual bonds applicable to treasurers or tax collectors. Passed second and third readings.
HR 1284 - (Joint Resolution) Zeb Vance ceremonies. Received from House; passed three readings.

LOCAL BILLS

SB 340 - (Craven) School board election. Reported favorably as to committee substitute; committee substitute adopted changing term of office from two to four years staggered.
SB 353 - (Gaston) School consolidation. Reported favorably as amended; amendments adopted making the following changes: Provides that affected boards of education by majority vote of each to jointly petition county board of commissioners to call county wide election (now, county board of elections required to call election) on question of authorization of up to $20,000,00 school building bonds in addition to the other two questions provided in original. Deletes provision that associate superintendents and other assistants to serve at board's pleasure with terms not exceeding that of superintendent. Deletes provisions of bill spelling out in detail financial administration and substitutes provision making such administration generally subject to GS Ch. 115 per county school administrative units. Specifies form of ballot which makes consolidation stand or fall with supplemental tax and bond issue. Bonds to be issued per County Finance Act and for purposes specified in GS 153-77(1). Makes technical clarifying changes.

HB 332 - (Avery) Crossnore Charter revision. Received from House; sent to Counties, Cities and Towns.
HB 664 - (Rutherford) Water and sewerage liens, (House committee substitute 5/24). Passed third reading.
HB 724 - (Rowan) School board election, (House committee substitute 6/7). Received from House; sent to Education.
HB 732 - (Davie) School board election, (House committee substitute 6/7). Received from House; sent to Education.
HB 772 - (Pitt) Additional commissioners. Amendment adopted to provide that county commissioners rather than both county commissioners and Greenville city council to elect additional commissioner. Passed 2nd & 3rd readings.
HB 826 - (Watauga) Officials salaries. Reported favorably as amended; amendment adopted making it clear that amount of $600 for Tax Supervisor is for travel allowance and not general office expenses and making other clarifying changes.
HB 856 - (Orange) Chapel Hill planning area, (House committee substitute 6/1). Passed third reading.
HB 884 - (Vance) Henderson Charter revision, as amended in House 5/31. Passed third reading.
HB 1125 - (Wilson) Elm City school board vote. Received from House; sent to Educatio
HB 1170 - (Currituck) Incorporating Bell's Island. Received from House; sent to Counties, Cities and Towns.
HB 1178 - (Forsyth) Dog regulation. Received from House; sent to Counties, Cities and Towns.
HB 1208 - (Ashe) School board conveyance. Received from House; sent to Counties, Cities and Towns.

HB 1210 - (Onslow) Pawn brokers. Passed.
HB 1211 - (Mecklenburg) School board vacancies. Received from House; sent to Edu.
HB 1239 - (Forsyth) CSC small estates admin. Received from House; sent to Judiciary 1
HB 1251 - (Moore) School board election. Received from House; sent to Education.
HB 1252 - (Avery) School board land conveyance. Received from House; sent to Counties, Cities and Towns.

BILLS RATIFIED

SB 207 - (Randolph) County Bd. of Ed. elections. [Ch. 739]

HB 216 - (Mecklenburg) Entire building condemnation, as amended in Senate 6/7. [Ch. 740]
HB 617 - (Wake) Raleigh privilege ordinances. [Ch. 741]
HB 740 - (Rutherford, Vance, Caldwell) CSC filing of papers, as amended in House 3/17. [Ch. 742]
HB 756 - (Carteret) Commissioners law practice. [Ch. 743]
HB 831 - (Richmond) Officials salary increases, as amended in House 5/25 and 6/6. [Ch. 744]
HB 832 - (Richmond) Rockingham retirement plan. [Ch. 745]
HB 934 - (Rutherford) Bay rum prohibition. [Ch. 746]
HB 952 - (Jones) Watershed condemnation. [Ch. 747]
HB 1053 - (Greene) Snow Hill officials. [Ch. 748]
HB 1114 - (Wake) Fuquay retirement. [Ch. 749]
HB 1129 - (Halifax) Enfield land sale. [Ch. 750]
HB 1130 - (Halifax) Enfield fire property sale. [Ch. 751]
HB 1131 - (Robeson) Fairmont primaries. [Ch. 752]
HB 1138 - (Moore) School land sale. [Ch. 753]
HB 1160 - (Cleveland) Shelby aldermen salaries. [Ch. 754]
HB 1179 - (New Hanover) Corporate non-usury loans. [Ch. 755]

Next sessions of Senate: 9:00 a.m., Saturday, June 10, 1967, for consideration of local bills only.

7:00 p.m., Monday, June 12, 1967.

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BULLETIN NO. 88
Friday, June 9, 1967

Session: House -- 9:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1294 - Introduced by Ragsdale
"To make certain supplemental appropriations to the Department of Water and Air Resources to be expended for carrying out the State-wide program of air pollution control and other purposes." [Appropriates for purposes indicated by title from General Fund $75,000 for each fiscal year of 1967-69 biennium. Appropriates to Department of Water and Air Resources from General Fund $16,092 for fiscal 1967-68 and $15,725 for fiscal 1968-69 to provide for increased legal services necessary in performing duties of said Department. Provides that such funds to permit additional attorney and a legal secretary to be employed in AG's office to be assigned to work primarily with Department and to provide necessary office equipment and law books. Effective July 1, 1967.] To Appropriations.

HB 1295 - Introduced by Twiggs and High
"To amend Chapter 14, Section 306 of the General Statutes of North Carolina." [Amends a portion of the definition in GS 14-306 of slot machine or device as machine or device designed and manufactured primarily for use in connection with gambling and which is classified by US as requiring Federal Gaming Device Tax Stamp under Internal Revenue Code. (Now, defined in part as device in playing of which wagers might be made whether or not it may, apart from element of chance, also sell, deliver or present some thing of value.) Adds provision stipulating that definition not to include coin-operated machines or devices designed and manufactured to be played for amusement only and operation of which depends in part upon skill of player.] To Judiciary 2.

HB 1296 - Introduced by Collins and Billings
"To appropriate funds to the Department of Conservation and Development for the use of the Division of State Parks in establighing and maintaining Stone Mountain State Park." [As title indicates; appropriates from General Fund to Department of Conservation and Development $100,000 for acquiring land in Stone Mountain area, plus $25,000 for each year of 1967-69 biennium for maintaining said park.] To Appropriations.

HB 1297 - Introduced by Ervin
"To amend the first three sections of Chapter 14 of the General Statutes relating to definition and punishment of felonies and misdemeanors." [Rewrites GS 14-1 defining felonies as all crimes so defined by common law or statute with any other crime a misdemeanor. (Now, felony defined as crime punishable by death or imprisonment in State's prison with any other crime a misdemeanor.) Rewrites GS 14-2 providing that every person convicted of felony for which no specific punishment prescribed by statute to be punished by imprisonment for not more than 10 years. (Now, imprisoned in county jail or State prison not exceeding two years or fined, in discretion of court; or if offense infamous, imprisoned in county jail or State prison for not less than four months nor more than ten years.) Rewrites GS 14-3 making all misdemeanors for which specific punishment not otherwise prescribed by statute, punishable by fine or by imprisonment for not to exceed two years or both in discretion of court. (Now, punished as misdemeanors at common law, with exception that certain infamous misdemeanors are punished as felonies by imprisonment in county jail or State prison for not less than four months nor more than ten years or fined.) Effective July 1, 1967.] To Judiciary 1.

HB 1299 - Introduced by Forbes

"To appropriate additional funds to the State Board of Education for the North Carolina Community College System." [Identical with SB 605, digested in Bulletin No. 83 at p. 827.] To Appropriations.

HB 1300 - Introduced by Taylor of Transylvania

"To fix the minimum punishment for the misdemeanor of larceny of fish from commercial or State fish hatcheries." [As title indicates; fixes punishment for persons convicted of such crime at fine not less than $500 or imprisonment not less than 60 days in discretion of court.] To Judiciary 1.

HB 1301 - Introduced by O'Hanlon

"To amend the fisheries laws relating to coastal trawling." [Amends GS Ch. 113, Art. 15 (Regulation of Coastal Fisheries) by adding new GS 113-185.1 prohibiting trawling of any type in or around any coastal inlet, or within 1/2 mile of shore line on ocean side, or within 1/2 mile inside inlet or shore line on sound side between Va. and SC lines; such restrictions not to apply (1) from an East-West line running through Salterpath to SC line during regular shrimping season promulgated by Board of Conservation and Development, nor (2) to Intra-Coastal Waterway.] To Commercial Fisheries and Oyster Industries.

HB 1302 - Introduced by Hill

"To provide for the regulation of trading stamp companies." [Amends GS Ch. 66 (Commerce and Business) by adding new Art. 19 entitled "Trading Stamp Companies". New GS 66-95 defines trading stamp (stamp or device issued in connection with retail sale as cash discount or for other marketing purpose which entitles rightful holder to receive merchandise, service or cash when stamps presented for redemption) and other related terms. GS 66-96 requires trading stamp companies to maintain reserve which contains assets equal to redeemable value of each unredeemed stamp issued. GS 66-97 requires companies to distinguish stamps issued in various years and requires state auditor to approve methods. GS 66-98 requires companies to print on each stamp monetary value which shall be 90% of price charged for stamp. GS 66-99 designates methods for redemming stamps for cash; only instance in which company may refuse to redeem stamps for cash is when aggregate value of stamps presented for redemption is less than 1¢. GS 66-100 authorizes transferability of stamps even if company does not consent. GS 66-101 requires companies to report to State Auditor on such things as number of stamps issued during preceding year, number of stamps redeemed in preceding year, and GS 66-102 provides that on February 1, four years after company has submitted its first report to State Auditor redeemable value of all unredeemed stamps issued during that particular year to escheat to State; if such company to cease doing business in State redeemable value of unredeemed stamps to so escheat. GS 66-104 requires each trading stamp company doing business in State to execute bond payable to State with corporate surety, conditioned on payment of all amounts due under Act. GS 66-105 authorizes State Auditor to audit all trading stamp companies biennially and to check books. GS 66-106 provides that jurisdiction and venue of suits brought under Act to lie in superior courts of Wake County and GS 66-107 makes act applicable only to trading stamps issued after act goes into effect. GS 66-108 provides for $10,000 fine for each separate offense if trading stamp company fails to submit required reports and provides for fine from $1,000 to $5,000 for each error in each report. Provides also for fine not less than $5,000 nor more than $10,000 for false report with intent to evade payment of any escheat. GS 66-109 prohibits trading stamp company from refusing to redeem its stamps because book in which they are placed is not in original condition. Provides that all companies subject to act shall file required bond not later than September 1, 1967.] To Judiciary 2.

HB 1304 - Introduced by High

"To amend the inheritance tax laws relating to credit against inheritance taxes for gift taxes paid." [Amends GS 105-8 (Credit for gift tax paid)

providing that tax paid with respect to gift to constitute an advance payment of tax which would otherwise be chargeable against beneficiaries of estate under GS Ch. 105, Art. 1 (Inheritance Tax) and to be applied in reduction of said tax. (Now, such amount credited against tax, which would otherwise be chargeable against beneficiaries of estate under provisions of G.S. Ch. 105 Art. 1.) Adds provision that any amount by which gift tax paid exceeds tax found due because of inclusion of gift in gross estate of decedent to be refunded to estate. Effective July 1, 1967 and to apply to estates of all persons dying on or after such date.] To Finance.

HB 1305 - Introduced by High

"To amend G.S. 105-204 to allow a credit against North Carolina intangibles tax for intangibles taxes paid other states on foreign trusts." [Adds to cited section provision that credit be allowed against taxes due under section on account of interest of beneficiary of foreign trust of a percentage of intangibles taxes paid to another state based upon foreign trust; credit to be limited to percentage of taxes paid to other state which beneficiary's interest bears to entire trust. Effective July 1, 1967.] To Finance.

HB 1306 - Introduced by High

"To exempt certain medical benefits provided by employers to employees from income tax." [Amends GS 105-141(b) 5 providing that gross income for State income tax not to include amounts received through self-funded reimbursement plans adopted by an employer reimbursing employees for expenses incurred for medical care or for medical care of spouses or dependents. Effective January 1, 1967 and to apply to income years beginning on or after that date.] To Finance.

HB 1307 - Introduced by High

"To amend the inheritance and gift tax laws relating to the rate of tax on inheritances and gifts to brothers-in-law and sisters-in-law." [Amends GS 105-5 (Rate of inheritance tax-Class B) and GS 105-188 (Gift taxes; rates of tax) by making sections applicable to brothers-in-law or sisters-in-law so that they may be persons entitled to beneficial interest in property to be taxed under sections. Effective July 1, 1967.] To Finance.

HB 1308 - Introduced by High

"To amend the inheritance and gift tax laws relating to the rate of tax on inheritances and gifts to sons-in-law and daughters-in-law." [Amends GS 105-4(a) (setting inheritance tax rates when property passes to those in certain relationship to deceased) and GS 105-188 (f) (gift tax rates when recipient is in certain relationship to donor) to include sons and daughters-in-law among those relationships. Effective July 1, 1967.] To Finance.

HB 1309 - Introduced by High

"To amend G.S. 105-4(b) relating to exemptions for inheritance tax purposes." [Amends cited section to provide that when person dies, testate or intestate, leaving a spouse and child (now, widow and child under 21) and surviving spouse receives, under will or otherwise, substantially all of decedent's property, such surviving spouse (now, widow) to be allowed an additional $5,000 exemption for each child under 21; also allows such exemption (new) for each child 21 or older who is mentally incapacitated, or by reason of physical infirmity unable to support himself, unmarried and residing with decedent in home at time of decedent's death, or who is then institutionalized by reason of mental or physical infirmity. Effective July 1, 1967 and to apply to estates of all persons dying on or after that date.] To Finance.

HB 1310 - Introduced by High

"To exempt from income tax that portion of a retired serviceman's retirement pay used to provide an annuity for his beneficiary." [Adds to GS 105-141(b) exemption from income tax of amount of reduction (after December 31, 1966) in armed services retirement pay per Ch. 73, Title 10, USC; all amounts of retirment pay

received after December 31, 1966 to be excluded from income until amount of exclusion equals amount of consideration specified in contract to receive reduced amount. Makes conforming changes in GS 105-141.1 (gross income -- annuities). Effective January 1, 1967.] To Finance.

HB 1311 - Introduced by Godwin of Gates and Johnson of Duplin

"Relating to the taxable situs of goods held by manufacturers on January first but which have been sold to and are awaiting shipment to out-of-state customers." [Adds to GS 105-281 (property subject to ad valorem taxation) provision that manufactured goods held by their manufacturer on January 1 which have been sold to out-of-state customer are classified as special class of property per Article V, Section 3, NC Constitution; manufactured goods so held on January 1 of any year sold to out-of-state customer other than subsidiary or affiliated corporation already billed and awaiting shipment not to have taxable situs in NC if held for less than one year. Does not require report or return of property so held.] To Finance.

HB 1312 - Introduced by Edwards and others

"Relating to the deduction for income tax purposes of contributions to self-employed retirement plans." [Identical with SB 656, digested in the Senate section of today's bulletin.] To Finance.

HB 1313 - Introduced by Edwards

"Relating to the abduction of children." [Amends GS 14-41 (Abduction of children) adding grandmother and grandfather to relatives listed and adding provision that none of persons designated in section to be indictable for such offense if he is a nearer blood relation to child than person from whose custody he took child, unless court of competent jurisdiction, including juvenile or domestic relations court, awards sole custody of child to another person or institution. Makes conforming changes in GS 14-42 (Conspiring to abduct children) and provides that none of persons named in section are indictable for such offense unless a court of competent jurisdiction, including juvenile or domestic relations court, awards sole custody of child to another person or body. (Now, no one who may be a nearer blood relation to child than persons named in GS 14-41 shall be indicted for either of said offenses.)] To Judiciary 2.

HB 1314 - Introduced by Edwards

"To appropriate funds to the John Motley Morehead Memorial Commission." [Appropriates to named Commission $5,000 for each of '67-'68 and '68-'69 for custodial care and other protection of Morehead Mansion in Greensboro ("Blandwood") on condition that owner gives written permission for such measures taken.] To Appropriations.

HB 1315 - Introduced by Ragsdale

"To amend the fisheries law pertaining to the protection of ocean fishing piers." [Rewrites GS 113-185(a) to make unlawful fishing in ocean "within a distance of 1500 feet of seaward end" and 750 feet "of either side" of ocean fishing pier "public or private" (adds quoted words) except from the pier, or by surf casting, or from beach above mean water (adds last exception); effective only when pier owner furnishes for placement by Division of Commercial and Sports Fisheries approved buoys to indicate restricted areas (now, section expressly negates need for warnings).] To Commercial Fisheries and Oyster Industries.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1298 - (Hertford) Introduced by Jernigan and Burden

"To amend Chapter 1073, Session Laws of 1959, so as to authorize the sheriff of Hertford County to issue permits for the sale of certain weapons." [As title indicates; deletes Hertford County from counties exempted by cited section so as to make act applicable to county.] To Local Government.

HB 1303 - (Halifax) Introduced by Gregory
"Relating to the compensation of the members of the Board of County Commissioners for Halifax County." [Provides that chairman of county commissioners to receive not more than $150 per month plus travel allowance of 7¢ per mile from place of residence to place of board meetings and back; other members of board to receive not more than $100 per month plus a like travel allowance.] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 170 - Vending machine tax exemption. Passed second and third readings.
SB 208 - Intangibles tax deduction. Reported favorably.
SB 210 - Banking law amendments, (Senate committee substitute 5/31), as amended in Senate 6/2. Floor amendment adopted to include the consumer among those interests to be represented on Banking Commission. Passed 2nd readin
SB 211 - Loan collection amendments. Postponed to 6/12.
SB 223 - Duct heating licensing as amended in Senate 5/10, (Senate committee substitute 6/1). Passed second reading.
SB 436 - Bedding stamp fee. Passed second reading.
SB 476 - Minor's auto insurance, as amended in Senate 6/2. Reported favorably.
SB 477 - Cancelled insurance premiums. Reported favorably.
SB 528 - Insurance company acquired. Reported favorably.
SR 540 - (Joint Resolution) Country doctor study. Withdrawn from Rules; passed second and third readings.
SB 551 - Licensed ins. co. auto plates. Passed second and third readings.
SB 618 - Liability insurance coverage. Received from Senate; sent to Insurance.
SR 641 - (Joint Resolution) Zeb Vance ceremonies. Received from Senate; postponed indefinitely.
HB 253 - Taxing farm equipment. Reported favorably as to committee substitute; committee substitute adopted deleting amendment to first paragraph of GS 105-164.4(1)g. and making clarifying changes. Re-referred to Finance.
HB 255 - Building for handicapped. Postponed to 6/12.
HB 280 - Child care licensing, (House committee substitute 5/18), as amended in House 6/8. Withdrawn from Appropriations; placed on calendar for 6/13.
HB 285 - Joint State tax returns. Reported unfavorably.
HB 400 - Forty year title clear, (House committee substitute 5/16), as amended in House May 16. Failed to pass second reading.
HB 457 - Consumer finance amendments. Postponed to 6/12.
HB 458 - Banking law amendments, (House committee substitute 6/1). Floor amendments adopted to add new GS 53-62(e) authorizing bank to discontinue branch office or teller's window upon resolution of board of directors or board of managers, filing certification with Comm'r of Banks specifying location of branch office or teller's window and reasons for closing and indication that needs and conveniences of community would be adequately met, and approved by Comm'r of Banks who must hold public hearing if requested. Notice stating intention to discontinue branch or teller's window to be published in newspaper serving community once a week for four consecutive weeks before certificate requesting discontinuance is filed with Comm'r of Banks. Further amended to amend GS 53-141(4) requiring notice as prescribed above when industrial banks plan to discontinue branch offices.
HB 558 - 18-year school attendance. Postponed to 6/12.
HB 918 - Numbered legislative seats. Floor amendment adopted making act inapplicabl to following House districts; 19, 47, 17, 26, 35, 24, 39, 34, 40, 38, 5, 31, 27 and 23. Passed second reading.
HR 944 - (Joint Resolution) Local government study comm., (House committee substitut 6/2). Passed second and third readings.

HB 959 - Joint stock ownership, (House committee substitute 6/8). Passed second and third readings.
HB 967 - Cherokee amusement tax exempt. Passed second and third readings.
HB 980 - Regulating pharmacists. Passed second and third readings.
HB 983 - Truck safety belts. Floor amendment adopted providing that provisions of act to apply to trucks manufactured or sold in NC after January 1, 1968 (original, referred to trucks manufactured "and" sold in state on said date). Failed to pass second reading.
HB 993 - Dam safety certification. Amendment adopted providing that any landowner whose property endangered by failure of dam to have right of appeal (original, referred to any three landowners so aggrieved to have right to appeal). Passed second and third readings.
HB 994 - Well contractors licensing. Amendment adopted correcting title of Board of Water Well Contractor Examiners (original, Board of Well Contractor Examiners). Passed second reading.
HB 995 - Well drilling changes, (House committee substitute 6/8). Passed second and third readings.
HB 996 - Water use information, (House committee substitute 6/8). Passed second and third readings.
HB 997 - Flood plain management. Passed second and third readings.
HB 998 - Local water storage assurance. Passed second and third readings.
HB 1021 - Local ABC tax. Reported unfavorably.
HB 1030 - NC Burial Ass'n Commission. Passed second and third readings.
HB 1033 - Proof of insurance repeals. Passed second and third readings.
HB 1046 - Driver license fee increase. Failed to pass second reading.
HB 1070 - Vending machine tax exemption. Postponed indefinitely.
HB 1071 - Uniform member benefits. Postponed to 6/13.
HB 1082 - Insuring out-of-state. Reported favorably as to House committee substitute. Substitute adopted changing Article number to 3D (original, 3C) and changing various section numbers accordingly. Re-referred to Insurance.
HB 1083 - Unauthorized insurers. Reported favorably as to committee substitute; committee substitute adopted identifying Act as Article 3C of Chapter 58 (now, Article 3B), renumbering sections within article, and adding new section providing that two of new sections (§58-54.21, transacting business without certificate of authority, and § 58-54.22, acts constituting transacting insurance business in State) not to apply to nonprofit life insurance companies already organized as corporation or association and providing insurance or annuities directly from home office (without agents in State) to nonprofit scientific or educational institutions. Re-referred to Insurance.
HB 1084 - Beer-wine sales to wholesalers. Passed second and third readings.
HR 1085 - (Joint Resolution) Library Study Comm. Passed second and third readings.
HB 1090 - 15% county sales tax rebate. Reported unfavorably.
HB 1097 - Motor vehicle rear lamps, (House committee substitute 5/30). Passed second and third readings.
HB 1098 - Workable windshield wipers. Passed second and third readings.
HB 1100 - Amending HB 41. Technical floor amendment adopted; passed second and third readings.
HB 1102 - Preliminary hearing fees. Passed second and third readings.
HB 1103 - Indigent juvenile counsel. Technical floor amendment adopted. Passed second and third readings.
HB 1104 - Exempting firemen's funds. Passed second and third readings.
HB 1112 - Mortgage brokers license, (House committee substitute 6/8). Postponed to 6/13.
HR 1113 - (Joint Resolution) Aging ad. val. tax exempt study. Passed second and third readings.
HR 1117 - (Joint Resolution) Country doctor study. Postponed indefinitely.
HB 1121 - Guard disability expenses. Reported favorably.
HB 1126 - Railroad track tampering. Postponed to 6/12.

HB 1127 - Injury to realty. Postponed to 6/12.
HB 1128 - Validating guardian's sales. Reported favorably as amended.
HB 1133 - Watershed assessment payments. Reported favorably.
HB 1137 - Oyster, clam leases. Postponed to 6/12.
HB 1140 - School bus transport. Passed second and third readings.
HB 1142 - Natural seed oyster areas. Postponed to 6/12.
HB 1149 - Insurance co. auto plates. Postponed indefinitely.
HB 1152 - Adoption of adults. Reported favorably as amended.
HB 1154 - Insurance fraud penalty. Passed second and third readings.
HB 1161 - Minors in bowling alleys. Passed second and third readings.
HB 1163 - Trip licenses. Passed second and third readings.
HB 1166 - Exempt radio telephone. Floor amendment adopted providing that Utilities Commission shall, on written petition of any miscellaneous mobile radio common carrier, require connection of radio station facilities of such carrier to land line facilities of local telephone company operating in area except on affirmative showing by telephone company that such would result in unfair and destructive competition to it. Passed second and third readings.
HB 1189 - Assigned risk default judgments. Reported favorably as amended.
HB 1191 - Vehicle sales tax. Reported unfavorably.
HB 1201 - County capital reserves. Reported favorably.
HB 1259 - Eminent domain counsel fees. Reported favorably.

LOCAL BILLS

SB 314 - (Iredell) Tax discounts. Passed.
SB 332 - (Mitchell) Spruce Pine officials pay, as amended in Senate 5/4. Passed.
SB 479 - (Nash) County zoning powers. Amendment adopted providing that act not to affect any mining and quarrying rights now in litigation or mining and quarrying operations established and in operation prior to date of ratification (original, provides that act not to affect any pending litigation). Passed.
SB 541 - (Henderson) School tax levy vote, as amended in Senate 5/29 and in House 6/8. Passed third reading.
HB 706 - (Gaston) Cramerton incorporation, as amended in House 6/7. Passed third reading.
HB 838 - (Hyde) Drainage district treasurer. Passed.
HB 1119 - (Watauga) Boone aldermen. Amendment adopted changing metes and bounds description of Boone included in original. Passed second reading.
HB 1247 - (Northampton) Garysburg governing body. Passed.

Unnumbered House Resolution

HR [E] Introduced by Johnson of Duplin
"Authorizing Speaker of House of Representatives to appoint a calendar committee to consider bills referred to said committee." [As title indicates.] Passed three readings.

Next sessions of House: 9:00 a.m., Saturday, June 10, 1967, for consideration of local bills only;
7:00 p.m., Monday, June 12, 1967.

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GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 89

Monday, June 12, 1967

Note: The Senate convened at 9:00 a.m., Saturday, June 10, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 7:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 659 - Introduced by Bridgers

"Relating to demand for jury trials in a criminal case in the District Court." [Rewrites GS 7A-196(e) to provide that in criminal cases there shall be no jury trials in district court and that upon appeal to superior court from district court conviction trial shall be de novo, with jury trial, but defendant may before trial make written demand for jury trial and court shall transfer case to superior court for trial (now, section provides that there shall be no jury trials in district court and that upon appeal to superior court trial shall be de novo, with jury trial). To Courts and Judicial Districts.

SB 660 - Introduced by Alford

"To provide for the right of way with regard to vehicles making left turns." [Adds to GS 20-155(b) (pertaining to motor vehicle rights of way) provision that notwithstanding other provisions of section and of GS 20-154 (motor vehicle signals), a vehicle making left turn in front of an approaching vehicle does not have right of way unless such movement can be completed with safety prior to approaching vehicle, and when movement cannot be completed with safety, driver of vehicle making left turn shall yield right of way.] To Judiciary 1.

SB 661 - Introduced by Allsbrook

"To amend Chapter 18 of the General Statutes, relating to the power of arrest of officers employed by the State Board of Alcoholic Control." [Amend GS 18-39.2 to add provision that special police officers and inspectors of the State Board of Alcoholic Control shall be vested with all authority of police officers for service of warrants or other process, and may arrest for any crime committed in their presence.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- SENATE

SB 658 - (Transylvania) Introduced by Brumby

"To re-enact Chapter 743 of the Session Laws of 1951 as amended by Chapter 726 of the Session Laws of 1953 relating to the nomination and election of the members of the Board of Education of Transylvania County." [Re-enacts SL 1951, Ch. 743 as amended by SL 1953, Ch. 726 which provides that board of education of Transylvania county shall consist of five members to be elected at primary and general election held in county in 1952. At election held in 1952 candidate receiving highest number of votes to be declared elected for 6-year term; two receiving next highest votes elected for 4-year terms; two receiving next highest vote to be elected for 2-year

terms. County board of elections to break tie vote. At primary and general election next following expiration of terms of members elected in 1949, and biennially thereafter, primary and election shall be held to elect successors for 6-year terms.] To Education.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 33 - Education board elections (Senate committee substitute 6/7). Floor amendments adopted to make effective July 1, 1969 (originally, July 1, 1967) and to provide for filling of vacancies by remaining members of the board (originally, by State Bd. of Educ.). Passed second reading.

SB 426 - Consolidated UNC Trustees (2) (Senate committee substitute 6/5). Passed third reading.

HB 118 - Clergymen's privilege, as amended in House 5/10. Passed second reading.

HR 944 - (Joint Resolution) Local government study comm'n (House committee substitute 6/2). Received from House; sent to Counties, Cities and Towns.

HB 959 - Joint stock ownership (House committee substitute 6/8). Received from House; sent to Judiciary 2.

HB 967 - Cherokee amusement tax exemption. Received from House; sent to Finance.

HB 980 - Regulating pharmacists. Received from House; sent to Public Health.

HB 993 - Dam safety certification, as amended in House 6/9. Received from House; sent to Conservation & Development.

HB 995 - Well drilling changes (House committee substitute 6/8). Received from House; sent to Conservation and Development.

HB 996 - Water use information (House committee substitute 6/8). Received from House; sent to Conservation & Development.

HB 997 - Flood plain management. Received from House; sent to Conservation & Development.

HB 998 - Local water storage assurances. Received from House; sent to Conservation & Development.

HB 1030 - N.C. Burial Ass'n Comm'n. Received from House; sent to State Government.

HB 1033 - Proof of insurance repeals. Received from House; sent to Insurance.

HB 1062 - Municipal fidelity bonds, as amended in Senate 6/9. Recalled from House.

HB 1084 - Beer-wine sales to wholesalers. Received from House; sent to Propositions & Grievances.

HR 1085 - (Joint Resolution) Library Study Comm'n. Received from House; sent to Libraries.

HB 1097 - Motor vehicle rear lamps (House committee substitute 5/30). Received from House; sent to Highway Safety.

HB 1098 - Workable windshield wipers. Received from House; sent to Highway Safety.

HB 1100 - Amending HB 41, as amended in House 6/9. Received from House; sent to Judiciary 2.

HB 1102 - Preliminary hearing fees. Received from House; sent to Courts & Judicial Districts.

HB 1103 - Indigent juvenile counsel, as amended in House 6/9. Received from House; sent to Courts & Judicial Districts.

HB 1104 - Exempting firemen's funds. Received from House; sent to Insurance. Withdrawn from Insurance; re-referred to Finance.

HR 1113 - (Joint Resolution) Aging ad val. tax. exempt study. Received from House; sent to Finance.

HB 1140 - School bus transport. Received from House; sent to Education.

HB 1154 - Insurance fraud penalty. Received from House; sent to Insurance.

HB 1161 - Minors in bowling alleys. Received from House; sent to Judiciary 2.

HB 1163 - Trip license. Received from House; sent to Public Roads.
HB 1166 - Exempt radio telephone, as amended in House 6/9. Received from House; sent to Public Utilities.
HR 1316 - (Joint Resolution) Honoring Black Knights. Received from House; passed three readings.

LOCAL BILLS

SB 479 - (Nash) County zoning powers, as amended in House 6/9. Received for concurrence in House amendments; concurred.
SB 541 - (Henderson) School tax levy vote, as amended in Senate 5/29 and House 6/8. Received for concurrence in House amendments; concurred.

HB 706 - (Gaston) Cramerton incorporation, as amended in House 6/7. Received from House; sent to Counties, Cities & Towns.
HB 727 - (Columbus) Whiteville charter revision, as amended in Senate 5/18 and 6/8. Passed.
HB 838 - (Hyde) Drainage district treasurer. Received from House; sent to Judiciary 2.
HB 888 - (Wake, Durham) R-D Airport land transfers (House committee substitute 5/25). Passed.
HB 1247 - (Northampton) Garysburg governing body. Received from House; sent to Counties, Cities & Towns.

Next session of Senate: 12 noon, Tuesday, June 13, 1967.

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BULLETIN NO. 89
Monday, June 12, 1967

Note: The House convened at 9:00 a.m., Saturday, June 10, 1967 to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 7:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1316 - (Joint Resolution) Introduced by Hege and Whicker
"Honoring the North Davidson High School Black Knights as winners of the State Class 2-A Baseball Championship." [As title indicates.] Passed three readings and sent to Senate.

HB 1317 - Introduced by Johnson of Wake and Johnson of Duplin
"To provide for additional research relating to fruits and vegetables in North Carolina." [Appropriates from General Fund for purposes indicated by title to North Carolina Agricultural Experiment Station and North Carolina Agricultural Extension Service $246,000 and $248,000 for fiscal years ending June 30, 1968 and June 30, 1969 (and ensuing years), respectively. Amounts designated as follows:

North Carolina Agricultural Experiment Station	1967-68	1968-69
1. Personnel		
a. Professional		
5 full time faculty	$ 70,000	$ 70,000
4 research assistants	14,000	14,000
b. Sub-professional		
8 technicians	56,000	56,000
2. Equipment	52,000	28,000
3. Maintenance and Operations	40,000	66,400
Sub-total N.C. Agr. Exp. Sta.	$ 232,000	$ 234,400

North Carolina Agricultural Extension Service		
1. Personnel		
a. Professional		
1 full time faculty	$ 14,000	$ 14,000
Sub-total N.C. Agr. Extension Service	14,000	14,000

Expenditures to be accounted for and reported to appropriate NC fiscal agencies.] To Appropriations.

HB 1318 - Introduced by Exum
"To amend G.S. 105-65.1(h) and G.S. 105-164.13(28) so as to exempt newspaper dispensers and newspaper vending machines from licensing and retail sales and use tax." [Exempts newspaper dispensers and newspaper vending machines from privilege license tax, and sales and use tax, as title indicates.] To Finance.

HB 1319 - Introduced by McKnight
"To extend the safety belts and anchorage requirements to trucks licensed for 50,000 pounds or less." [Makes GS 20-135.2 (generally requiring two sets of seat belts for front seat of passenger motor vehicles) applicable to new trucks (licensed for 50,000 pounds or less) manufactured, assembled or sold in State after January 1, 1968.] To Highway Safety.

HB 1321 - Introduced by Johnson of Wake and McMillan of Wake
"To authorize the North Carolina State Commission for the Blind to appoint an executive committee from its members and to authorize said North Carolina State Commission for the Blind to delegate duties to said executive committee." [Adds provision to GS 111-3 constituting six appointees of Governor to NC State Commission for the Blind as Executive Committee to perform duties delegated to it by Commission.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1320 - (Carteret) Introduced by Taylor
"To amend Sections 105-306(26), 105-308, 105-309 and 105-310 of the General Statutes of North Carolina in order to authorize the Board of Commissioners of Carteret County to prescribe regulations relating to the listing of property for taxation in Carteret County." [As title indicates; cited GS sections (relating to taxpayer oath, listing by agents and listing by mail) declared to be applicable to Carteret but subordinated to regulations of county board inconsistent therewith. Prescribes misdemeanor penalty for failure to list ad valorem taxes as provided by GS 105-307; if commissioners have adopted regulations relating to any matter covered in Act, listing must be in accordance with statute as amended by such regulation.] To Judiciary 2.

HB 1322 - (Yadkin) Introduced by Merritt
"To provide for elections in the towns of Jonesville and Arlington on the consolidation of said towns, and subject to such elections to provide a charter for the Town of Jonesville." [Directs holding of referendum on Sept. 12, 1967, on consolidation of towns of Jonesville and Arlington into new town of Jonesville, subject to following conditions: (1) election to be conducted by town governing bodies throughout area described in act by metes and bounds; no new registration required; (2) majority of votes cast in each town must be in favor of consolidation for act to take effect. Provides for organization of new town of Jonesville and transfer of power and responsibility from former towns on Sept. 20, 1967, as follows: (1) Provides for assumption of all outstanding debts and assets of each existing town by new city, and other transitional matters. (2) Governing board of new city, until initial election, to be composed of mayors and governing board members of existing units. (3) Ordinances of existing towns to be adopted by transitional governing body. (4) New city to be governed by mayor and 5-member council to be nominated and elected by districts. Three shall be nominated in town meeting from district consisting of present town of Jonesville and two from district consisting of present town of Arlington; a candidate for mayor shall be nominated. Any candidate not nominated by town meeting may be nominated by prescribed filing of notice of candidacy. Mayor and council to have 2-year terms. (4) Council shall appoint town manager who shall be head of administrative branch of town government and responsible to council. (5) Sets out provisions for filing of notice of tort claims against city. (6) Provides generally for organization and powers of new city.] To Counties, Cities and Towns.

HB 1323 - (Edgecombe) Introduced by Eagles
"To amend Chapter 267, Session Laws of 1965, relating to the feeding of prisoners in Edgecombe County." [Amends cited Act to authorize county commissioners to appropriate for feeding or board of prisoners in county jail sums it deems necessary to provide adequate quantity of good and wholesome food (now, commissioners authorized to pay sheriff up to $1.50 per prisoner per day).] To Counties, Cities and Towns.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 210 - Banking law amendments, (Senate committee substitute 5/31) as amended in Senate 6/2 and House 6/9. Passed third reading.

SB 211 - Loan collection amendments. Passed third reading.
SB 223 - Duct heating licensing, as amended in Senate 5/10, (Senate committee substitute 6/1). Passed third reading.
SB 267 - Diver's flag. Reported favorably.
SB 411 - Fraudulent patient information, (Senate committee substitute 6/8). Received from Senate; sent to Judiciary 1.
SB 436 - Bedding stamp fee. Passed third reading.
SB 441 - Redevelopment changes, as amended in Senate 6/7. Received from Senate; sent to Judiciary 2.
SB 443 - Migratory waterfowl. Reported favorably.
SB 511 - Foreign Ins. Co. treatment, (Senate committee substitute 6/7). Received from Senate; sent to Insurance.
SB 514 - Unauthorized insurers, (Senate comm. sub. 6/7). Rec'd from Senate; sent to Ins
SB 515 - Insuring out-of-state, (Senate comm. sub. 6/7). Rec'd from Senate; sent to In
SB 516 - Title insurance, land guarantee. Received from Senate; sent to Insurance.
SB 537 - Alter and abandon NC roads, as amended in Senate 6/9. Received from Senate; sent to Judiciary 1.
SB 556 - Butner hospital site cession. Received from Senate; sent to Judiciary 1.
SB 560 - Hours of female employment. Received from Senate; sent to Judiciary 1.
SB 571 - Insurance-power of attorney. Received from Senate; sent to Insurance.
SB 579 - Fed. S & L share guarantee. Received from Senate; sent to Judiciary 2.
SB 604 - Substitute trustee validation, as amended in Senate 6/9. Received from Senate; sent to Judiciary 2.
SB 610 - Non-resident trustee agents, as amended in Senate 6/9. Received from Senate; sent to Judiciary 2.
SB 611 - Next of kin definition. Received from Senate; sent to Judiciary 2.
SB 612 - Probate by service spouses. Received from Senate; sent to Judiciary 2.
SB 613 - Corporate merger registration. Received from Senate; sent to Judiciary 2.
SB 614 - Metal dealer regulations, as amended in Senate 6/9. Received from Senate; sent to Judiciary 2.
SB 629 - Validating guardian ad litem act. Received from Senate; sent to Judiciary 2.

HB 255 - Building for handicapped. Amendments adopted to provide that standards not to apply to buildings under construction on effective date; delete provision making Act applicable to temporary or emergency construction; delete requirement that elevator buttons have identifying features for blind persons; provide that standards not to apply to buildings for which plans completed on effective date; delete enforcement responsibilities of Department of Public Instruction, Department of Administration and local governing bodies and substitute provision that no building plans for covered buildings to be approved by Department of Insurance without compliance with Act; make effective October 1, 1967 (original, upon ratification.). Passed second and third readings. Vote by which bill passed third reading reconsidered. Technical amendment adopted. Passed third reading.
HB 343 - Protecting bears. Reported favorably.
HB 457 - Consumer finance amendments. Postponed indefinitely.
HB 458 - Banking law amendments, (House committee substitute 6/1), as amended in House 6/9. Postponed indefinitely.
HB 558 - 18-year school attendance. Postponed to 6/13.
HB 574 - General Assembly compensation, as amended in Senate 6/9. Received for concurrence in Senate amendment; concurred.
HB 582 - Official records distribution, as amended in Senate 6/9. Received for concurrence in Senate amendment; concurred.
HB 918 - Numbered legislative seats, as amended in House 6/9. Floor amendments adopted exempting 33rd, 36th, 41st and 42nd House districts and 24th Senate district. Passed third reading.
HB 1048 - Big game animals. Reported favorably as amended.
HB 1062 - Municipal fidelity bonds, as amended in Senate 6/9. Received from Senate for concurrence in Senate amendment; concurred.

HB 1092 - Firelighting deer evidence. Reported favorably.
HB 1121 - Guard disability expenses. Passed second and third readings.
HB 1126 - Railroad track tampering. Passed second and third readings.
HB 1127 - Injury to realty. Passed second and third readings.
HB 1128 - Validating guardian's sales. Amendment adopted to make Act apply to sales prior to effective date of Act (original, March 30, 1966) and to add provision to GS 33-31 defining "guardian" to include next friend, guardian ad litem, or commissioner of the court. Passed second and third readings.
HB 1133 - Watershed assessment payment. Passed second reading.
HB 1137 - Oyster, clam leases. Passed second and third readings.
HB 1142 - Natural seed oyster areas. Amendment adopted to confine permits to transplant seed oysters to NC residents and to make technical changes. Passed second and third readings.
HB 1152 - Adoption of adults. Technical amendment adopted. Passed second and third readings.
HB 1168 - State employee defense. Passed second and third readings.
HB 1169 - Town, county employee defense. Passed second and third readings.
HB 1172 - Uninsured motorist insurance. Floor amendments adopted making technical changes. Passed second and third readings.
HB 1187 - Life ins. co. investments. Passed second and third readings.
HB 1189 - Assigned risk default judgments. Amendments adopted to include NC Commissioner of Insurance within definition of "agent" for purpose of Act; specify that notice to agent of insurer is notice to insurer (originally, "insured") specify that "agent" includes person designated by insurer (originally, "insured") as agent; specify that return receipt signed by employee of insurer (originally, "insured") is deemed received; makes technical changes; and to make effective July 1, 1967 (originally, upon ratification), and floor amendment adopted correcting typographical errors.
HR 1316 - (Joint Resolution) Honoring Black Knights. Passed three readings; sent to Senate.

LOCAL BILLS

SB 653 - (Robeson) Lumberton land transfer. Received from Senate; sent to Judiciary

HB 772 - (Pitt) Additional commissioners, as amended in Senate 6/9. Received from Senate for concurrence in Senate amendment; concurred.
HB 865 - (Lincoln) School merger election, (House committee substitute 6/8). Passed third reading.

Next session of House: 11:00 a.m., Tuesday, June 13, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 90

Tuesday, June 13, 1967

Session: Senate -- 12:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 663 - Introduced by Griffin

"Relating to the taxable situs of goods held by manufacturers on January first but which have been sold to and are awaiting shipment to out-of-state customers." [Amends GS 105-281 (relating to property subject to taxation in State) to provide that manufactured goods held by their manufacturer on January 1 which have been sold to and are awaiting shipment to an out-of-state customer are classified as special class of property under NC Const. Art. V., Sec. 3 (relating to State power of taxation). Such property sold to an out-of-state customer other than subsidiary or affiliated corporation, as defined in GS Ch. 105, shall not have taxable situs in State if they have been so held for less than one year, and no report or return of such property shall be required.] To Finance.

SB 664 - Introduced by Coggins and Bailey

"To authorize the North Carolina State Commission for the Blind to appoint an executive committee from its members and to authorize said North Carolina State Commission for the Blind to delegate duties to said executive committee." [Identical with HB 1321 digested in House section of bulletin no. 89, at page 906.] To Judiciary 2.

SB 665 - Introduced by Simmons

"To authorize Leland R. Sanderson, of Duplin County, to practice veterinary medicine or surgery in Beulaville, North Carolina, and surrounding area." [Authorizes Leland R. Sanderson to practice veterinary medicine or surgery in town of Beulaville and within 25-mile radius of said town, with all rights of veterinary practitioner licensed by NC Veterinary Medical Board.] To Agriculture.

SB 666 - Introduced by Gilmore

"To create the North Carolina State Parks and State Forests Study Commission." [Creates State Parks and State Forests Study Commission to be composed of 15 members appointed as follows: 9 (including chairman) by Governor, 3 by Lieutenant Governor from membership of Senate, and 3 by Speaker from membership of House. Members to receive same per diem as members of State commissions generally. Ex officio members to include Director of Department of Administration, Chairman of NC Department of Conservation and Development, Chairman of State Highway Commission, Chairman of NC Wildlife Resources Commission, Chairman of NC Seashore Commission, Chairman of NC Recreation Commission, and Chairman of Board of Water Resources. Commission shall inventory and appraise public and private park and forest facilities in State in relation to its estimate of present and projected needs, and shall describe part of needs which are responsibility of State and offer program for meeting

them. Commission may cooperate with State agencies and employ such consultants and full-time personnel and rent such office space as necessary, and it may accept and expend gifts and grants from all sources and persons. Appropriates $10,000 from State General Fund to commission and authorizes it to request additional funds from Contingency and Emergency Fund. Commission to report to Governor and General Assembly not later than second week after convening of 1969 General Assembly and terminate two years from enactment of act.] To Conservation and Development.

SR 668 - (Joint Resolution) Introduced by Kemp and McLendon

"Congratulating Miss Sarah Elizabeth Stedman of Asheboro upon her selection as Miss North Carolina of 1967." [As title indicates.] Passed three readings and sent to House.

SB 669 - Introduced by Alford

"Relating to the North Carolina Local Governmental Employees' Retirement System." [Amends GS 128-24(5) (benefits under retirement system identified in title to those separating from service prior to 60th birthday) to delete requirement that such benefits be computed per GS 128-27(b1) (deferred or early retirement allowance for some retiring on or after July 1, 1965 with certain terms of service) and to provide that for member separating from service on or after July 1, 1967 creditable service requirement to qualify for such deferred retirement allowance shall be at least 12 rather than 15 years and to provide that such allowance shall be computed per GS 128-27(b1) until July 1, 1967, and per GS 128-27(b2) (described hereafter) thereafter. Amends GS 128-24(5)b. to remove requirement that application for early retirement allowance must be filed within 60 days of separation. Rewrites GS 128-27(b1) to apply it only to those retiring on or after July 1, 1965 and before July 1, 1967 (now, simply retiring on or after former date). Adds new GS 128-27(b2) providing service retirement allowance for those retiring after July 1, 1967, as follows: (1) date of retirement is on or after 65th birthday 1-1/4% of final compensation up to $5,600 plus 1-1/2% of remainder multiplied by number of years of creditable service; (2) if such date is before 65th birthday - as in (1), but reduced by 1/3% for each month by which retirement precedes month of 65th birthday; (3) if retirement before 60th birthday - acturial equivalent of allowance payable at 60 as computed in (2); (4) any member with creditable service beginning prior to July 1, 1965, or policeman or fireman not covered under Social Security Act employed thereafter shall receive not less than benefits per GS 128-27(b) (allowance for those retiring between July 1, 1959 and July 1, 1965). Amends GS 128-27(d) (allowance on disability retirement of persons retiring prior to July 1, 1965) to provide that benefits be part of disability benefits after age 65 and not be discontinued at age 65. Amends GS 128-27(g) (election of optional allowance by regular payments or by actuarial equivalent under certain options) to provide that such election may be made after reaching 60 without establishing date of retirement and that on or after July 1, 1967, such election may be made after reaching 55 or on completion of 30 years' creditable service without establishing date of retirement (now, without establishing retirement date only after reaching 60). Adds new option for such election that member may receive reduced retirement allowance during life with other benefit payable after death, benefit to be approved by board of trustees. Adds new GS 128-27(j) providing for percentage increase in monthly benefits to those whose benefits commenced prior to July 1, 1967, according to schedule set out in act, with minimum increase to be $5/month to be reduced actuarily as determined by Board and to be applicable to retired member, if surviving, or designated beneficiary otherwise. Amends GS 128-29(a) (2) (permissible investments for retirement system funds) to include International Bank for Reconstruction and Development, and Inter-American Development Bank. Amends GS 128.20 to provide that deductions by employers for annuity fund that now apply to

service period beginning Jan. 1, 1966 shall apply to period from that date to July 1, 1967, and that for period beginning on latter date, rate of such deductions shall be 5% of compensation not exceeding $5,600and 6% of remainder. Amends GS 128-30(g) to provide that if employer fails to provide Retirement System with information required within 90 days of request therefor or if full amount due from members or employer shall not have been received by System from chief fiscal officer of employer within 30 days of due date, then upon notice by Board to State Treasurer any distributions to employer from State funds shall be withheld until notice that employer is no longer in default. Amends GS 128-26(a) (statement of service as employee prior to time of becoming member) to provide that employer may allow additional prior service credit on account of earlier employment by other political subdivision of State, and that upon participation of employer prior service credits may be allowed to former employee who earlier transferred to service of participating employer, and that upon transfer of employee from nonparticipating to participating subdivision, latter may allow credit for earlier employment to same extent as for employees "in service on date of participation," and to provide that governing body of participating unit may allow credit for period of military service in armed forces if employee returned to employer within two years after honorable separation from service and that any member having credit for not less than ten years of otherwise creditable service may be allowed credit for such military services which are not creditable in any other governmental retirement system. Effective July 1, 1967.] To Retirement, Employment Security.

SR 670 - (Joint Resolution) Introduced by Coggins

"Directing the Legislative Reseach Commission to study the laws relating to banking in North Carolina." [As title indicates.] To Judiciary 2.

SB 671 - Introduced by Shuford and others

"To allow a thirty (30) day deferral period for registration of vehicles owned by new residents." [Amends GS 20-4.6 as title indicates; applies to private passenger vehicles properly licensed in state of former residence.] To Public Roads.

SB 674 - Introduced by White of Lenoir and others

"To provide funds for the establishment of the States' Office of the Coastal Plains Regional Commission." [Appropriates $60,000 from General Fund for 1967-69 biennium to Department of Administration for use in cooperation with South Carolina and Georgia to establish and operate cited office in Washington, D. C. Identical with HB 1338.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 662 - (Granville) Introduced by Hancock

"To provide for filling vacancies on the Board of County Commissioners of Granville County." [Amends GS 153-6 to add Granville County to those in which vacancies in board of county commissioners are filled for unexpired term by appointee of remaining members of board (now, such vacancies filled by clerk of superior court of county).] To Counties, Cities and Towns.

SB 667 - (Guilford) Introduced by Kemp and McLendon

"To amend Chapter 841 of the Session Laws of 1955 relating to establishing alcoholic beverage control stores in the City of High Point." [Identical with HB 1330, digested in the House section of today's bulletin.] To Propositions and Grievances.

SB 672 - Introduced by Brumby

"Amending Chapter 737 of the 1965 Session Laws relating to assistance to voters in Cherokee County." [Amends SL 1965, Ch. 737 to provide that in elections

in Cherokee County any person who, on account of blindness or other obvious physical disability, is unable to enter voting booth without assistance or is unable to mark ballot because of such physical disability may request assistance from registrar and, if precinct election officials determines voter unable to mark ballot because of such disability, voter may upon request be assisted by "Democratic or Republican Judge, in the voters discretion" (now, by registrar).] To Election Laws and Legislative Representation.

SB 673 - (Wayne) Introduced by Warren

"To authorize the Board of County Commissioners of Wayne County to compensate certain officers for the service of civil and criminal process." [Authorizes Wayne County constables to be compensated from general fund in amounts not to exceed schedule of fees set forth in GS Ch. 7A for service of civil and criminal process.] To Counties, Cities and Towns.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 210 - Banking law amendments (Senate committee substitute 5/31), as amended in Senate 6/2 and House 6/9. Returned for concurrance in House amendment; concurred.
SB 400 - Marshland dredging (Senate committee substitute 6/1). Reported favorably as amended.
SB 521 - Small animal cruelty. Reported favorably.
SB 593 - Poultry inspection. Reported favorably.
SB 620 - No crop dusting near towns. Reported favorably as amended.
SB 660 - Right-of-way left. Reported favorably.

HB 409 - Certifying absentee ballots. Reported favorably as amended.
HB 544 - Realty broker licenses. Reported favorably as amended.
HB 560 - Mental hospital accounts, as amended in House 5/29. Withdrawn from Appropriations; re-referred to Judiciary 1.
HB 918 - Numbered legislative seats, as amended in House 6/9 and 6/12. Received from House; sent to Election Laws and Legislative Representation.
HB 931 - Livestock markets revision, as amended in House 5/26. Reported favorably as amended.
HB 1062 - Municipal fidelity bonds, as amended in Senate 6/9. Vote by which passed third reading and amended reconsidered. Floor amendment adopted to substitute "faithful performance or honesty" for "fidelity" as descriptive of specified bonds and to make statutory requirement of individual bonds applicable to treasurers or tax collectors. Passed third reading.
HB 1108 - Garbage redefined. Reported favorably.
HB 1121 - Guard disability expenses. Received from House; sent to Judiciary 2.
HB 1126 - Railroad track tampering. Received from House; sent to Judiciary 1.
HB 1127 - Injury to realty. Received from House; sent to Judiciary 1.
HB 1128 - Validating guardian's sales, as amended in House 6/12. Received from House; sent to Judiciary 1.
HB 1137 - Oyster, clam leases. Received from House; sent to Conservation and Development.
HB 1142 - Natural seed oyster areas, as amended in House 6/12. Received from House; sent to Conservation and Development.
HB 1152 - Adoption of adults, as amended in House 6/12. Received from House; sent to Judiciary 1.
HB 1168 - State employee defense. Received from House; sent to Judiciary 2.
HB 1169 - Town, county employee defense. Received from House; sent to Judiciary 2.

HB 1172 - Uninsured motorist insurance, as amended in House 6/12. Received from House; sent to Insurance.
HB 1187 - Life ins. co. investments. Received from House; sent to Insurance. Withdrawn from Insurance; placed on calendar for June 14.

LOCAL BILLS

SB 340 - (Craven) School board election (Senate committee substitute 6/9). Passed.
SB 353 - (Gaston) School consolidation, as amended in Senate 6/9. Passed third reading.
SB 615 - (Edgecombe) County officials salaries. Passed.
SB 619 - (Gaston) Gastonia ABC elections. Passed.
SB 625 - (Alamance) Officials pay. Passed.
SB 626 - (Cumberland) Sheriff to dogs. Passed.
SB 637 - (Cherokee) Andrews ABC election. Passed.
SB 657 - (Onslow) Jacksonville charter revision. Floor amendment adopted authorizing city council to determine, within stated limitations, amount and applicability of property assessment exemption for corner lots. Passed second reading.
HB 826 - (Watauga) Officials salaries, as amended in House 5/5 and Senate 6/9. Passed.
HB 851 - (Lee) School board merger (House committee substitute 6/1). Passed third reading.
HB 865 - (Lincoln) School merger election (House committee substitute 6/8). Received from House; sent to Education.
HB 1008 - (Mecklenburg) Officials' salary raise. Passed.
HB 1054 - (Greene) County officials salary. Passed.
HB 1055 - (Greene) School board salaries. Passed.
HB 1122 - (Wayne) School board election. Passed.
HB 1165 - (Lee) Sanford aldermen salaries. Passed.
HB 1190 - (Caldwell) School board election. Passed.

The President appointed the following Senators to the Senate Calendar Committee: Warren, chairman; Moore, vice-chairman; Allen, Bailey, Dent, Harrington, Scott, White of Lenoir.

BILLS RATIFIED

SB 170 - Vending machine tax exemption. [Ch. 756]
SB 314 - (Iredell) Tax discounts. [Ch. 757]
SB 332 - (Mitchell) Spruce Pine officials' pay. [Ch. 758]
SB 478 - Beer and wine taxes, as amended in Senate 6/2. [Ch. 759]
SR 540 - (Joint Resolution) Country doctor study. [R 60]
SB 551 - Licensed ins. co. auto plates. [Ch. 760]

HB 205 - Loose leaf registration. [Ch. 761]
HB 481 - Criminal evidence review. [Ch. 762]
HB 510 - Storing assessment information. [Ch. 763]
HB 513 - Theater girls working hours. [Ch. 764]
HB 540 - Discharge of microfilm deeds. [Ch. 765]
HB 664 - (Caldwell) Water and sewerage liens (House committee substitute 5/24). [Ch. 766]
HB 856 - (Orange) Chapel Hill planning area (House committee substitute 6/1). [Ch. 767]
HB 1210 - (Onslow) Pawnbrokers. [Ch. 768]
HR 1284 - (Joint Resolution) Zeb Vance ceremonies. [R 59]

Next session of Senate: 12 noon, Wednesday, June 14, 1967.

BULLETIN NO. 90
Tuesday, June 13, 1967

Session: House -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1324 - Introduced by Johnson of Wake and Quinn
"Relating to certain minimum benefits payable under Article 1, Chapter 135 of the General Statutes, The Teachers' and State Employees' Retirement System." [Amends SL 1967, Ch. 720 (HB 646) by adding provision that any member whose creditable service commenced prior to July 1, 1963, not to receive less than benefit provided by GS 135-5(b) (Service Retirement Allowances of Members Retiring on or after July 1, 1959, but prior to July 1, 1963). Effective July 1, 1967.] To Calendar Committee.

HB 1325 - Introduced by Quinn and Johnson of Wake
"Relating to local health departments." [Amends GS 130-13 (County health departments) and GS 130-22 (Municipal health departments) to provide that employees of county and municipal health departments be deemed county and municipal employees respectively.] To Calendar Committee.

HB 1326 - Introduced by Gregory
"To amend G.S. 147-12, relating to the powers and duties of the Governor, so as to grant the power to contract with the Government of the United States to enable the State to receive benefits under National Highway Safety Act of 1966." [Amends cited section as title indicates. Provides that Governor to coordinate activities of any and all departments and State agencies and subdivisions relating thereto.] To Highway Safety.

HB 1327 - Introduced by Hege
"To amend Chapter 14 of the General Statutes of North Carolina to require that all State owned and operated passenger vehicles, with exceptions, be painted a uniform color of black and silver to conform with the colors of State Highway Patrol Motor vehicles as provided for under G.S. 20-190." [Amends GS Ch. 14, Art. 31 (Misconduct in Public Office) by adding new GS 14-250.1 providing that vehicles cited in title purchased by State after July 1, 1968, be painted a uniform color of black and silver and carry on both sides of car a circle showing replica of seal of State before being operated on State highways; exempts certain motor vehicles operated by members of State Highway Patrol, assigned to Governor, and used in law enforcement. Effective July 1, 1968.] To Calendar Committee.

HB 1328 - Introduced by Hege
"To require hunters of big game to wear distinctive red or orange clothing markings in order to insure greater safety." [Provides that persons engaged in hunting big game other than with a bow and arrow (big game to include deer, wild boar or bear) wear clothing containing red or orange markings at least 12" square on front and back of clothing. Makes violation of Act a misdemeanor punishable by fine of not more than $50 or imprisonment not more than 30 days.] To Calendar Committee.

HR 1331 - (Joint Resolution) Introduced by Boger and others
"Directing the Department of Motor Vehicles to study the yearly registration fees for private passenger vehicles and property hauling vehicles used solely for the purpose of hauling unprocessed forestry products for possible statutory recommendations." [As title indicates; provides that study be completed prior to convening of 1969 General Assembly and that Department of Motor Vehicles make its report to 1969 General Assembly along with any recommendations.] To Calendar Committee.

HB 1332 - Introduced by Bryan

"To regulate surface mining in North Carolina." [Enacts "Surface Mining Act of 1967", providing as follows: (1) Requires annual permit from Commissioner of Agriculture after 1/1/68 to engage in "surface mining" (defined as mining minerals by removing overburden and mining directly from exposed natural deposits; exempts quarrying or excavation of topsoil, sand, gravel, crushed stone, rock or clay). Spells out information required on permit applications including location, acreage, owners of affected land, owners of minerals, and source of applicant's right to mine. Requires accompanying USGS survey topo map and USGS detail (enlarged) topo map with prescribed information on boundaries, culture and drainage plans. Requires certification from Department of Water and Air Resources that mine will violate no air or water quality standards, and that water source and waste treatment and disposal plans meet Departmental requirements. (2) Prescribes basic fee of $50 plus $25 per acre of land affected by operation, plus corporate surety bond in form approved by Attorney General to comply with Act and regulations, in amount estimated by Comm'r as adequate to assure reclamation; bond to be in range of $100 -$1,000 per acre (minimum total $2,000). Provides for proceeds of basic acreage fee to go to Strip Mining Fund in office of State Treasurer to be available to help defray administration costs of Act. Prescribes bond forfeiture and release procedures, with forfeitures to be initiated by Attorney General. (3) Prescribes terms and conditions of permits, including maintenance of water and air quality standards; prescribed grading to reduce peaks and ridges; earth dams in cuts; covering of acid forming materials in mined areas; fire lanes or access roads on lands to be reforested; levelling of ridges on lands to be used for crops or seeded for pasture; and replanting of lands affected by mining operations as recommended by Comm'r of Agriculture based on standard State Dep't of Agriculture recommended practices. (4) Prohibits issuing permits under specified conditions (likelihood of excessive and unavoidable stream sedimentation, acid water pollution, landslides, hazards to dwellings, institutional buildings, public property or roads, or lakes, not controllable by reducing permit area); minimum distances from public roads or property, streams, or lakes; unavoidable adverse effects on state, national, or interstate parks). (5) Spells out procedures for inspection and investigation by Comm'r, revocation of permits, judicial review pursuant to GS Ch. 143, Art. 33, adoption of implementing regulations by Board of Agriculture, injunctive relief for violations, and penalties for violation of Act or regulations (misdemeanor, punishable by $1,000 - $5,000 fine, with each day's separate operation without permit a separate offense). Provides that Act not to supersede local regulations or ordinances, nor to restrict private remedies against nuisances or hazards.] To Calendar Committee.

HB 1335 - Introduced by Vogler

"To amend Chapter 163 of the General Statutes, as recodified by Chapter _____, Session Laws of 1967, so as to change the time of primary elections." [Amends GS 163-1(b) of HB 146 providing that time for primary elections be set for first Tuesday in May (now, last Saturday in May).] To Elections and Election Laws.

HB 1336 - Introduced by Stanford

"To appropriate funds for historic preservation in the Town of Hillsborough. [Appropriates to Department of Archives and History $35,000 for use by Historic Hillsborough Commission to complete purchase and restoration of Old Burwell School.] To Appropriations.

HB 1337 - Introduced by Sugg and others

"To make it unlawful to harm or destroy porpoises." [Amends GS Ch. 113 (Conservation and Development) by adding new subsection GS 113-189(b) making it unlawful to harm or destroy porpoises.] To Calendar Committee.

HB 1338 - Introduced by Jernigan and others

"To provide funds for the establishment of the States' Office of the Coastal Plains Regional Commission." [Identical with SB 674, digested in the Senate section of today's bulletin.] To Appropriations.

HB 1339 - Introduced by McFadyen and Speed

"Rewriting Article 49 of Chapter 106 of the General Statutes relating to national poultry and turkey improvement plans and the regulation of hatcheries, chick and hatching egg dealers." [Rewrites sections of GS Ch. 106, Art. 49 (Poultry) as follows: GS 106-539 authorizes cooperation to implement National Poultry and Turkey Improvement Plans (now, just national poultry improvement plan). GS 106-540 authorizes NC Board of Agriculture (Board) to adopt rules and regulations to carry out provisions of such improvement plans, set up minimum standards for operation of hatcheries, regulate hatching egg dealers, chick dealers, poult dealers and jobbers, regulate shipment of poultry into State, etc. GS 106-541 defines necessary terms. GS 106-542 provides that no person may operate hatchery and no chick or hatching egg dealer or jobber may operate in State without permit from Department of Agriculture (now, required only to operate a public hatchery or engage in chick dealing and jobbing) and otherwise carries forward provisions of present section. GS 106-543 provides that requirements of national poultry and turkey improvement plans must be met (now just national poultry plan) and carries forward provisions of present law. GS 106-544 provides that all shipments from out of State originate in flocks that meet minimum requirements of pullorum and typhoid disease control provided for in Act (now, required to meet just minimum requirements of pullorum disease control). GS 106-545 provides that no hatchery (now public hatchery) or hatchery dealer (new)may use false or misleading advertising in sale of products. GS 106-546 carries forward provisions of present law with regard to notice describing grade of chicks. GS 106-547 requires every hatchery (now public hatchery) and hatching egg dealer (new) to keep records of operations. GS 106-548 authorizes Dep't to collect fees from every hatchery (now public hatchery) and provides that fee for hatcheries with egg capacity not exceeding 1,000 eggs may be waived at discretion of Commissioner of Agriculture (new); requires that when State Veterinarian receives information or has reason to believe that pullorum disease or fowl typhoid exists in any poultry or that they have been exposed to such diseases, he shall promptly quarantine poultry where they are located; such poultry may not be removed from premises until quarantine lifted, without permit from him or his representative. GS 106-549 makes violation of act a misdemeanor to be punished by fine or imprisonment or both in discretion of court (now person violating act guilty of misdemeanor with punishment not spelled out).] To Calendar Committee.

HB 1340 - Introduced by Hamrick

"To amend Article 12 of Chapter 18 of the General Statutes, relating to the powers of the State Board of Alcoholic Control as to wine and malt beverages." [Amends GS 18-140(a) (relating to wine and malt beverage division) to grant State Board of Alcoholic Control, or any hearing officer appointed thereby, powers of a trial justice for purpose of summoning and compelling attendance of witnesses to testify in relation to any matter which is "by the provisions of this Chapter a subject of inquiry or investigation," and power to administer oaths to persons appearing as witnesses before them. Failure to comply with summons or subpoena of Board or hearing officer shall be brought before court of record and person so failing shall be punished for contempt in same manner as for failure to appear before said court. Witnesses so summoned or subpoenaed shall receive $2 per day and, unless transportation provided by State ABC board, 5 cents per mile traveled by nearest practicable route from home to place of examination and return.] To Calendar Committee.

HR 1341 - (Joint Resolution) Introduced by Baugh

"Creating a State Building Code Commission to study the feasibility of making the State Building Code applicable to one and two family dwellings." [Creates nine-member board to be appointed by Governor, three from public at large and one from each of following organizations: NC League of Municipalities, NC Ass'n of County Comm'rs, NC Building Code Council, NC State Extension Service,

NC Home Builders Ass'n, and NC Realters Ass'n. Comm'n to study feasibility of applying new state-wide building code or present State Building Code to one and two family dwellings and report findings to 1969 General Assembly. Members to receive subsistence and travel allowances as provided for state comm'n generally, expenses to be paid from Contingency and Emergency Fund.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1329 - (Watauga) Introduced by Isaacs

"To provide for the election of the Board of Education of Watauga County." [Provides that present board members continue in office until first Monday in December, 1968, and at general election in 1968 and biennially thereafter at county general election five members to be elected to County Board of Education. Provides procedure and time for filing for candidacy. No primary election necessary if no more than ten candidates file for membership on said board, but if more than ten file, separate ballot to be provided by County Board of Elections and a primary election held at time fixed by law for biennial primary elections. Provides that primary elections be nonpartisan and no political party affiliation to be used by any candidate or shown on primary ballot; ten candidates receiving highest number of votes in primary to be nominees voted on at general election. Provides that general election be nonpartisan, that there be a separate ballot provided by board of elections with names of nominees printed thereon, and that no political party affiliation be shown on ballot. Five nominees receiving highest vote are to be certified as duly elected board of education. Members assume office on first Monday in December for two-year terms. Vacancies occuring in board membership because of death, resignation, etc., are to be filled by appointment of qualified citizen by remaining members.] To Calendar Committee.

HB 1330 - (Guilford) Introduced by Whitley of Guilford and others

"To amend Chapter 841 of the Session Laws of 1955 relating to establishing alcoholic beverage control stores in the City of High Point." [Rewrites section 6 of cited act to provide that at end of each quarterly period following establishment of liquor control stores City ABC Board shall deduct necessary expenses of operation of such stores and retain sufficient working capital with amount to be determined by Board and pay entire net profits as follows: (1) 5% for law enforcement, education and rehabilitation; (2) 20% into General Fund of County; (3) 75% to City Tax Collector to be used by city for any public purpose. (Now 5-15% for city law enforcement; 75% of remainder for education and rehabilitation by city, and other 25% for county.) Identical with SB 667.] To Calendar Committee.

HB 1333 - (Martin) Introduced by Everett

"To fix the compensation of members of the Board of County Commissioners and the Board of Education of Martin County." [Amends SL 1963, Ch. 568 to provide that Chairman of Board of County Commissioners receive salary of $125 per month (now, $100 per month) and other members of Board $100 per month (now, $80); and that Chairman of County Board of Education receive $80 per month (now, $50) and members of such Board $65 per month (now, $50), plus travel allowance of 7¢ per mile for all necessary travel in performance of their official duties.] To Calendar Committee.

HB 1334 - (Martin) Introduced by Everett

"To amend GS 113-111, relating to closed season for fox hunting in certain counties." [Amends cited section (making it lawful to hunt, take or kill foxes at any time by any lawful method in certain designated counties) by deleting Martin County from counties enumerated.] To Calendar Committee.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 254 - Employee political activity, as amended in Senate 5/25. Reported favorably.
SB 260 - Washington statue. Postponed to 6/15.
SB 426 - Consolidated UNC trustees (2), (Senate committee substitute 6/5). Received from Senate; sent to University Trustees.
SB 443 - Migratory waterfowl. Passed second reading.
SB 550 - Agricultural notice. Passed second and third readings.
SB 629 - Validating guardian ad litem act. Withdrawn from Judiciary 2; re-referred to Judiciary 1.
HB 37 - Financial responsibility. Reported unfavorably.
HB 76 - Prohibit minors use of alcohol. Reported unfavorably.
HB 79 - List attorneys for indigents. Reported unfavorably.
HB 180 - Epileptic disability benefits. Withdrawn from Manufacturing and Labor; re-referred to Judiciary 1.
HB 280 - Child care licensing, (House committee substitute 5/18), as amended in House 6/8. Failed to pass second reading.
HB 343 - Protecting bears. Passed second and third readings.
HB 542 - Marriage records amendments. Reported favorably as to committee substitute; substitute adopted making technical and clarifying changes and providing that when an unmarried female more than 12 but less than 18 years old is pregnant and putative father agrees to marry, consent to such marriage may be given by director of public welfare of county of residence of either party. (Original, refers to unmarried pregnant female between 12 and 16 and makes no reference to consent by local director of public welfare.) Makes no change in GS 115-162. (Age requirement and time of enrollment of pupils in public schools). (Original, amended cited section by deleting requirement that register of deeds of county furnish without charge a certified copy of birth certificate of child presented for admission.) Amends GS 51-9 (Health certificates required of applicants for marriage licenses) to require that health certificate be accompanied by a report from laboratory approved by State Board of Health showing that a serologic test for syphillis approved by US Public Health Service was made within 30 days of time application for license is made. (Now, such certificate to be accompanied by original report from a laboratory showing that Wasserman or any other approved test of this nature made.) Amends GS 51-10(b)(1) to read "marital" partner (now, "marriageable" partner). Amends GS 51-11 deleting requirement that every examining physician under provision of GS 51-9 to 51-14 make and immediately file with Department of Health a true copy of health certificate.
HB 558 - 18-year school attendance. Amendment adopted essentially rewriting bill to provide that effective with beginning of 1968-69 school term every parent, guardian or other person in State having charge or control of a child between 7 and 17 years of age shall cause such child to attend school continuously while such school in session but that child may be exempted from school attendance by superintendent of administrative unit: (a) if he has completed requirements for graduation from high school before reaching 17, or (b) if he is 16 and has physical or mental condition, properly certified by competent medical authority, which renders attendance inexpedient and impracticable, or (c) if he is 16 and upon recommendation of superintendent and approval of board of education is declared unable to profit from school attendance, or (d) if a married female under 17 and residing with her husband and maintaining a household. (Original, raises compulsory school attendance age limit to 18 unless board of education of administrative unit in which child resides finds (1) child has completed 12th grade or equivalent high school course or (2) child, because of financial circumstances, dependents or other good cause, is unable to attend.) Makes act effective from beginning of 1968-69 school term (original, effective upon ratification). Passed second reading.

HB 650 - Worthless checks. Reported favorably as amended.
HB 655 - Drunk driving tests. Reported favorably.
HB 715 - Motel guest book inspection. Reported unfavorably.
HB 954 - Deceptive real estate contract. Reported favorably as to committee substitute; substitute adopted to codify act as GS 14-118.3 (original bill did not codify act) and to make it applicable to one who induces another to enter into type of paper writing prohibited by act. Deletes from original bill following provisions: (1) presumption of requisite intent to violate act from a knowing execution of the paper writing containing false price or condition; (2) provision that both corporation and officers who execute prohibited contract may incur full criminal punishment; (3) provision that violation of act shall give rise to civil action for recovery of double damages against any or all parties to contract; (4) provision that violation of act shall not impose civil or ciminal liability where there is a designated type of good faith adjustment of provisions of a contract by parties thereto.
HB 994 - Well contractors licensing, as amended in House 6/9. Floor amendments adopted providing that GS Ch. 87, Art. 6 (water well contractors) shall not apply to individual who hand digs, bores, washes, drives, jets, cores, repairs, or cleans wells less than 4 inches tubular pipe size in diameter and that provisions of act not to apply to Caswell, Haywood, Madison, Person, and Yancey counties.
HB 1011 - Open meetings. Reported favorably as amended.
HB 1048 - Big game animals. Postponed to 6/15.
HB 1062 - Municipal fidelity bonds, as amended in Senate 6/9. Returned to Senate.
HB 1067 - Securing charitable deposits. Withdrawn from Banks and Banking; re-referred to Calendar.
HB 1071 - Uniform member benefits. Postponed to 6/16.
HB 1081 - State ethics code. Reported unfavorably.
HB 1092 - Firelighting deer evidence. Postponed to 6/15.
HB 1133 - Watershed assessment payment. Passed third reading.
HB 1144 - Credit card insurance. Reported favorably as to committee substitute; substitute adopted to specifically provide that act shall not prohibit authorized insurer, his representative, or insurance brokers from accepting payment of insurance premium through credit card facility operated by banking corporation principally domiciled in State and doing business under laws of State or US, and such bank may make its credit card facility available for this purpose, provided all records relating to payment of insurance premiums through such card are maintained within State. Act not to prohibit authorized insurer, his representative, or insurance broker from notifying customers or prospective customers through means other than credit card facilities of availability of credit card facilities for payment of insurance premiums.
HB 1148 - Attorney-in-fact commission. Reported favorably.
HB 1196 - Lien taxpayer defined spouses. Reported unfavorably.
HB 1222 - Retirement system investments. Reported favorably as to committee substitute; substitute adopted directing Board of Trustees of State Employees' Retirement System to retain services of reputable investment counselling firm to help manage and invest funds per GS 135-7(a) (in original, chairman of board was authorized to appoint investment committee for that purpose).
HR 1223 - (Joint Resolution) Minimum TSER pension. Reported favorably as amended.
HB 1226 - 8% interest coverage. Reported unfavorably.
HR 1230 - (Joint Resolution) Tax Study Commission. Reported favorably.
HB 1246 - Welfare Board appointment. Reported favorably.
HR 1250 - (Joint Resolution) LRC law research study. Reported favorably.
HB 1262 - Front lamps to head lamps. Reported favorably.

HB 1270 - Non-State funds report. Postponed to 6/16.
HB 1281 - TSER prior service filing. Reported unfavorably.
HB 1285 - Workmen's comp. cancellation. Reported favorably.
HB 1300 - Fish napping punishment. Reported favorably.
HB 1319 - New truck safety belts. Reported favorably.
HB 1321 - Blind Comm. Exec. Committee. Reported favorably.

LOCAL BILLS

SB 78 - (Buncombe) Franchise referendum hiatus. Reported unfavorably.
SB 337 - (Pitt) Number of commissioners. Reported unfavorably.
SB 367 - (Johnson) Four Oaks annexation, as amended in House 6/2. Vote by which passed second reading reconsidered. Vote by which amendment adopted reconsidered. Floor amendment adopted changing, by metes and bounds, boundaries set forth in act.

HB 236 - (Caldwell) County commissioner vacancy. Reported unfavorably.
HB 490 - (Pender) Surf City limits. Reported unfavorably.
HB 727 - (Columbus) Whiteville Charter revision, as amended in Senate 5/18 and 6/8. Received for concurrence in Senate amendment; concurred on first reading.
HB 779 - (Beaufort) Drainage district. Reported favorably.
HB 1119 - (Watauga) Boone aldermen, as amended in House 6/9. Passed third reading.
HB 1139 - (Rockingham) One big city. Amendment adopted making following changes in original: (1) adding provision that, although no new registration required in three municipalities, Board of Elections shall conduct special registration of voters in portion of area described lying outside corporate limits of those three municipalities; (2) providing that special registration book so provided, rather than registration book of Rockingham County, be used for those voters outside the municipalities; (3) providing that new municipality shall reimburse county for costs of special election outside three municipalities and for costs of printing ballots for election; (4) requiring that voters outside of three municipalities and others not registered register in special registration book in order to vote in election (in original, registered county residents not required to re-register); (5) making technical, clarifying, and conforming changes. Passed second reading.

The Speaker appointed the following Representatives to the House Calendar Committee: Johnson of Duplin, Chairman; Hofler, Vice-Chairman; Quinn (Vice-Chairman), Andrews, Billings, Bryan, Burden, Hege, Hunter of Richmond, McMillan of Robeson, Mills of Anson, Ramsey of Madison, Ramsey of Person, Short.

Next session of House: 11:00 a.m., Wednesday, June 14, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 91

Wednesday, June 14, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 675 - Introduced by Burney and Bridgers

"To amend G.S. 115-51 relating to school food services provided by county and city boards of education." [Amends cited section to modify items included in "cost of operation" of school food services for purpose of determining whether earnings in excess of such cost exist to be applied to reduction of cost of food, improved food, or provision of free or reduced-cost lunches to indigent children. Provides that cost of operation shall include salaries of all personnel directly engaged in providing food services. now, directly engaged in preparing and serving food),and the cost of non-food supplies as outlined under standards adopted by State Board of Education. (Now, cost of such "inexpensive and expendable nonfood supplies" so outlined by State board). Defines"personnel"as food services supervisors or directors, bookkeepers directly engaged in food service record keeping, and people directly involved in preparing and serving food. Identical with HB 1358.] To Education.

SB 679 - Introduced by Griffin

"To amend G.S. 153-77 and G.S. 153-80 of the County Finance Act to authorize the issuance of bonds for sanitary land fills and for vehicles and equipment." [Amends GS 153-77 to add acquisition and preparation of land for use in sanitary land fill method of disposal of garbage, refuse, and other wastes to special purposes for which counties may issue bonds and levy taxes, and to provide that this may be accomplished by county acting singly or jointly with one or more political subdivisions or governmental agencies and that fill shall be available for public purposes of county when completed. Also adds acquisition of vehicles, equipment, apparatus, or furnishings for use in any department of county and not included in other subsections of section to such special purposes. Amends GS 153-80 (relating to maturity of county bonds) to provide that bonds for land for sanitary land fills, including site preparation shall mature in not over 20 years, and those on vehicles, equipment, apparatus, or furnishings not included in other subdivisions of act shall mature in not over 10 years.] To Calendar Committee.

SB 681 - Introduced by Briggs

"To amend Article 5 of Chapter 163, as recodified by the Session Laws of 1967, relating to registrars, judges of elections and registration commissioners." [Identical with HB 1345, digested in House section of today's bulletin.] To Calendar Committee.

SB 682 - Introduced by Briggs

"To amend Chapter 163 of the General Statutes, as recodified by the Session Laws of 1967, relating to the powers and duties of the State Board of Elections." [Identical with HB 1349, digested in House section of today's bulletin.] To Calendar Committee.

SB 683 - Introduced by Briggs

"To amend Article 4 of Chapter 163 of the General Statutes, as recodified by the Session Laws of 1967, relating to county boards of election." [Identical with HB 1344, digested in House section of today's bulletin.] To Calendar Committee.

SB 684 - Introduced by Bagnal and Nielson

"To amend Chapter 163 of the General Statutes, as recodified by the Session Laws of 1967, relating to the powers and duties of the State Board of Elections." [Identical with HB 1343, digested in House section of today's bulletin.] To Calendar Committee.

SB 685 - Introduced by Bagnal and Nielson

"To amend Article 3 of Chapter 163 of the General Statutes, as recodified by the Session Laws of 1967, so as to provide for the appointment of the State Board of Elections." [Identical with HB 1346, digested in House section of today's bulletin.] To Calendar Committee.

SB 686 - Introduced by Whitehurst

"To amend G.S. 20-30(e) and G.S. 20-17, imposing penalties on persons conspiring to procure drivers' licenses by fraudulent means." [Identical with HB 1356, digested in the House section of today's bulletin.] To Highway Safety.

SB 687 - Introduced by Warren

"To amend G.S. 8-61 relating to issuance of subpoena duces tecum for production of public records." [Rewrites cited section providing that any court, board or other body empowered to compel attendance of witnesses may issue process of subpoena duces tecum for purpose of requiring production of any public record not declared privileged or confidential under any statute of State as witnesses are required in cases of subpoena to testify. Provides that no public official to be compelled by such process to personally attend and produce such record but may deliver to authority issuing process original or certified copy of papers or records required or affidavit to effect that no such paper is in his possession. Provides that original or certified copy or affidavit to be admissible in any action or proceeding without further certification or authentication. (Now, provides that in cases in which production of original paper, lodged in public offices in State or in any court, is necessary, court may issue process of subpoena duces tecum requiring persons holding said offices to attend court with such paper in same manner as witnesses in cases of subpoena are required to testify.)] To Calendar Committee.

SB 688 - Introduced by McLendon by request

"Amending the Urban Redevelopment Law so as to authorize the redevelopment of institutional renewal areas for public educational institutions and hospitals." [Amends various provisions of the Urban Redevelopment Law, as follows: GS 160-455.2. Adds section declaring State policy of authorizing urban redevelopment commissions to undertake redevelopment in institutional renewal areas for support of public educational institutions or hospitals (hereinafter referred to as PEIH), if requisite findings made. GS 160-456. Adds definition of "institutional renewal area" as an area adjacent to an PEIH, as to which municipal governing body finds: (1) at least 50% of buildings within area, because of deterioration, inadequate sanitation, hazard, overcrowding, etc., have effect of substantially impairing community growth or surrounding development, or are detrimental to public health, safety, morals or welfare; and (2) redevelopment project would also promote public welfare and proper development by making land in the area available for disposition to PEIH for redevelopment and/or providing cohesive neighborhood environment through redevelopment, compatible with PEIH functions or needs. Makes conforming changes in definitions of "redevelopment area" in subdiv. (16) and of "redevelopment projects"in subdiv. (19).] To Calendar Committee.

SB 689 - Introduced by Evans

"To amend G.S. 14-381 relating to the punishment of those who shall publicly mutilate, burn, deface, defile, or defy, trample upon or cast contempt, either by words or act, upon the flag of the United State or the North Carolina State Flag." [Amends GS 14-381 to include among prohibited acts of desecration of State or national flag, public burning of such flag and sets penalty for acts prohibited by section at fine not exceeding $5,000 (now, $50) or by imprisonment for not more than two years (now, 30 days) or both (new).] To Calendar Committee

LOCAL BILLS INTRODUCED -- SENATE

SB 676 - (Wilkes) Introduced by Bryan

"To authorize the Board of Education of the Town of North Wilkesboro to convey certain lands to the Town of North Wilkesboro." [Authorizes Board of Education of North Wilkesboro to sell and convey to town of North Wilkesboro, without consideration and at private sale, a parcel of land known as Woodlawn School and particularly described in metes and bounds.] Passed three readings and sent to House.

SB 677 - (Person) Introduced by Currie and Matheson

"To permit the City of Roxboro to sell at private sale certain surplus real estate." [Authorizes City Council of Roxboro to sell at private sale for such price as it sees fit in excess of $10,000, parcel of land described as city maintenance lot and particularly described in metes and bounds. Authority to expire January 1, 1968. Identical with HB 1357.] To Calendar Committee.

SB 678 - (Stokes) Introduced by Gentry

"To designate the procedure for selecting the Board of Education of Stokes County." [Sets membership of Stokes County Board of Education at five members to be constituted, effective first Monday in April, 1967, as follows: Dr. I. A. Booe and S. Leroy Smith for terms expiring first Monday in April, 1969 and Orell Amos, Mrs. George W. Hutchinson, and J. Van Tuttle for terms expiring first Monday in April, 1971. At party primaries held in county in 1968, and quadrennially thereafter, each party shall nominate two candidates for two positions on board then expiring, and at party primary held in county in 1970, and quadrennially thereafter, each party shall nominate three candidates for three positions on board then expiring. Names of candidates to be certified by chairman of county board of elections to State Superintendent of Public Instruction who shall transmit them to Chairman of Committee on Education of House of Representatives. General Assembly shall, from names transmitted, appoint to board in 1969, and quadrennially thereafter, one candidate from each party and in 1971, and quadrennially thereafter, two candidates from party composing majority of membership of General Assembly and one candidate from party composing minority. Failure of General Assembly to make specified appointments shall constitute vacancy which shall be filled by State Board of Education for 4-year term. Vacancies by death, resignation, removal or otherwise shall be filled, within 30 days, for unexpired term by county executive committee of political party of member causing vacancy and failure to so fill vacancy shall empower State Board of Education to fill it in same manner as executive committee.] To Calendar Committee.

SB 680 - (Harnett) Introduced by Morgan

"Expressly excluding the Town of Erwin in Harnett County from the provisions of Chapter 903, Session Laws of 1957, and applying the discount and penalty provisions of section 105-345 of the General Statutes to taxes assessed or levied by said town." [Exempts Erwin from SL 1957, Ch. 903 (amending GS 105-345 to make special provisions in regard to schedule of discounts for prepayment of taxes to Harnett County) and makes applicable to Erwin taxes all provisions of GS 105-345 (providing penalties and discounts for prepayment of taxes to political subdivisions of State).] To Calendar Committee.

SB 690 - (Stanly) Introduced by Griffin and Boger
"To provide for nonpartisan election of Stanly County Board of Education."
[Provides for five member Board of Education of Stanly County to be elected at large for four-year terms in non-partisan election held at time of regular primary election for county officers and conducted by county board of elections in accord with general election laws of State except as otherwise provided herein. Nomination shall be by filing of candidacy; those filing shall have name placed on ballot without party designation. At 1968 election, and quadrennially thereafter, three candidates receiving highest number of votes to be elected and at 1970 election, and quadrennially thereafter, two candidates receiving highest number of votes to be elected. Terms of present board members which expire on first Monday in April, 1969, shall expire June 30, 1968, and terms of present board members which expire first Monday in April, 1971, shall expire June 30, 1970. Vacancies in board caused be death, resignation or otherwise shall be filled by remaining members of board for unexpired term.]
To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 5 - Safe driver licensing. Postponed to 6/15.
SB 33 - Education board elections (Senate committee substitute 6/7), as amended in Senate 6/12. Passed third reading.
SB 167 - Safe tire use requirement. Floor amendment adopted providing that act (requiring safe tire use) shall not apply to vehicles not required to be registered, and deleting provision that tires deemed unsafe if cut, cracked or worn so as to expose tire cord or if there is visible tread separation or chunking (also deletes definition section). Postponed to 6/16.
SB 269 - Cosmetic art regulation. Reported favorably as amended.
SB 394 - Assigned risk liability hike. Passed second and third readings.
SB 400 - Marshland dredging (Senate committee substitute 6/1). Amendment adopted deleting permit requirements for earth moving projects in beaches, tidelands, waters and marshlands. Passed second and third readings.
SB 452 - Regulating pharmacists. Postponed indefinitely.
SB 468 - Young drivers suspension. Postponed to 6/16.
SB 482 - Coastal area insurance #II (Senate committee substitute 6/9). Floor amendment adopted requiring Comm'r of Insurance to hold public hearing before plan of insurance is adopted. Passed second and third readings.
SB 525 - Engineer-surveyor changes. Reported favorably as amended.
SB 508 - Municipal bond retirement. Postponed indefinitely.
SB 518 - Liability ins. limits. Reported favorably as amended.
SB 555 - Department of Corrections (Senate committee substitute 6/9). Re-referred to Judiciary 2.
SB 578 - Psychologist licensing, as amended in Senate 6/9. Floor amendment adopted providing that psychologist rendering psychotherapy shall "develop liaison, communication, and meaningful collaboration" with licensed NC physician designated by client. Passed third reading.
SB 581 - State Stadium Authority. Passed second reading.
SB 603 - Ad. val. tax appraisal review. Reported favorably.
SB 607 - Interstate mining compact, as amended in Senate 6/9. Passed third reading.
SB 609 - Local tax refund cutoff. Reported favorably.
SB 617 - Coastal fisheries self-assessments, as amended in Senate 6/9. Passed third reading.
SB 627 - Past-60 state retirement. Reported favorably as amended.
SB 631 - Art Museum Bldg. Comm'n. Reported favorably.
SR 632 - (Joint Resolution) LRC coastal insurance study. Passed 2nd & 3rd readings.
SB 645 - Personnel act exemptions. Reported favorably.

SB 666 - Parks-forest study comm'n. Reported favorably.
SB 669 - Local gov. retirement changes. Reported favorably. Placed on calendar for 6/17.

HB 118 - Clergymens' privilege, as amended in House 5/10. Passed third reading.
HB 255 - Building for handicapped, as amended in House 6/12. Received from House; sent to Calendar Committee.
HB 343 - Protecting bears. Received from House; sent to Calendar Committee.
HB 356 - Water-air resources board (House committee substitute 5/16), as amended in Senate 6/9. Floor amendment adopted providing that superior court judge on appeal from final order or decision under water and air pollution control laws shall allow introduction of additional evidence on fact questions (under previous version of bill, judge to allow additional evidence in his discretion for good cause). Passed third reading.
HB 465 - 7% interest rate (House committee substitute 5/1), as amended in Senate 6/5. Floor amendments adopted that : (1) prohibits lender from charging "any agent for a borrower, or . . . any agent, seller, or broker, any fee or discount which insures to the benefit of the lender" in excess of 1% of principal for loan (total of 7%) made under provisions of act (originally, only prohibited lender from charging borrower in excess of 1%); and (2) changes period during which prepayment penalty may be imposed from three years after execution of note to one year after first payment on principal. Passed second reading.
HB 537 - Phone harassment, as amended in House 5/26. Reported favorably.
HB 594 - Vehicle liability coverage (House committee substitute 5/17), as amended in House 5/17. Reported favorably as amended.
HB 624 - Trout water impoundments (House committee substitute 5/30), as amended in House 6/1 and in Senate 6/9. Passed second reading.
HB 691 - Car insurance, license penalty, as amended in House 5/16. Reported fav.
HB 923 - Veterinarians registration fee. Passed third reading.
HB 967 - Cherokee amusement tax exempt. Reported favorably.
HB 980 - Regulating pharmacists. Withdrawn from Public Health. Floor amendment adopted providing that "willful" failure to comply with pharmacy laws and rules and regulations of pharmacy board shall be grounds for pharmacist or drug store license suspension or revocation (adds quoted word). Passed second and third readings.
HB 982 - Authorizing COG's. Passed third reading.
HB 1025 - Local gov't funds investment, as amended in House 6/2. Passed 3rd reading.
HB 1033 - Proof of insurance repeals. Reported favorably.
HB 1061 - Municipal bond retirement. Passed third reading.
HB 1133 - Watershed assessment payment. Received from House; sent to Calendar Committee.
HB 1137 - Oyster, clam leases. Reported favorably.
HB 1142 - Natural seed oyster areas, as amended in House 6/12. Reported favorably.
HB 1154 - Insurance fraud penalty. Reported favorably.
HR 1352 - (Joint Resolution) Memorializing Ross. Received from House; passed three readings.

LOCAL BILLS

SB 643 - (Madison) Personnel salaries, number. Passed.
SB 657 - (Onslow) Jacksonville charter revision, as amended in Senate 6/13. Passed third reading.
SB 676 - (Wilkes) N. Wilkesboro land conveyance. Passed second and third readings.

HB 1119 - (Watauga) Boone aldermen, as amended in House 6/9. Received from House; sent to Calendar Committee.

Next session of Senate: 12 noon, Thursday, June 15, 1967.

BULLETIN NO. 91
Wednesday, June 14, 1967

Session: House -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1342 - Introduced by Gregory
"To amend Chapter 160 of the General Statutes to authorize municipalities, in cooperation with the State, to accept benefits under the National Highway Safety Act." [Adds new GS 160-281.3 authorizing municipalities to make agreements with State and Federal government and their agencies to secure benefits under National Highway Safety Act of 1966, and to cooperate with same and others to effectuate purposes of that act.] To Highway Safety.

HB 1343 - Introduced by Hege and others
"To amend Chapter 163 of the General Statutes, as recodified by the Session Laws of 1967, relating to the powers and duties of the State Board of Elections." [Amends Section 22(d) of cited chapter (investigation by State Elections Board of election law irregularities) to provide that violations shall be reported by Board to Attorney General and solicitor and prosecutor of district (deletes "for further investigation and prosecution"). Adds new subsection to same section providing that if such investigation by Board reveals criminal violation, chairman shall cause issuance of arrest warrant or seek bill of indictment for prosecution. Identical with SB 684.] To Calendar Committee.

HB 1344 - Introduced by Johnson of Cabarrus and others
"To amend Article 4 of Chapter 163 of the General Statutes, as recodified by the Session Laws of 1967, relating to county boards of elections." [Amends GS 163-30 to provide for appointment for four years of two of three county election board members on Friday preceding twelfth Saturday preceding primary, one each by State Executive Committees of the two parties whose candidates received most votes in last gubernatorial election, and for selection of remaining member by those two immediately following their appointment at meeting per GS 163-31 (described below) (now, all three members to be appointed by State board of elections on Friday before 10th Saturday preceding primary for 2-year terms, not more than two members to be from same party). Requires certification by party chairman of appointments to State Board of Elections, who shall reject unqualified appointee and appoint in his place qualified member of same party by tenth Saturday before primary and appointment of third member by State Board if two party appointees unable to agree. Adds to disqualifications for membership on county board of elections holding public office or State employment within preceding 30 days (now, only holding "elective" public office). Deletes provisions for recommendations by party chairmen to State Board for appointments. Amends GS 163-31 (meetings of county boards of elections) to provide for initial meeting within seven days of appointment by two party appointees to select third member, to delete reference to appointment of precinct registrars and judges of elections, to delete quorom specifications, and to provide that vacancies be filled in same manner as that of member whose vacancy is being filled. Amends GS 163-33(b) to provide that a duty of county board is to remove registrar or judge of election for incompetency, failure to discharge duties or to qualify, fraud, or other satisfactory cause, with removal not to occur later than 10 days prior to primary or election, rather than (as now provided) to appoint all registrars and other officers of elections and designate their precinct of service and to remove same with hearing for those reasons. Identical with SB 683.] To Calendar Committee.

HB 1345 - Introduced by Taylor of Transylvania and others

"To amend Article 5 of Chapter 163, as recodified by the Session Laws of 1967, relating to registrars, judges of elections and registration commissioners." [Amends GS 163-41(a) to specify that registrars appointed shall serve for both primary and general election; to provide that chairman of each political party of county shall appoint and certify to county board of elections by eighth Saturday before primary, one person for each precinct in county as judge of elections for ensuing primary and general election (now, judges are appointed by county board of elections); to provide that such judges need not be residents of precinct for which appointed if fewer than 20% of registered voters of that precinct are registered as party members, but need only be residents of county; to include "assistant" with registrar and judge as positions which candidates are ineligible to fill; to delete authorization for county party chairman to recommend appointees as registrars and judges; to provide that vacancies among registrars and judges be filled by chairman of board of elections on designation of chairman of party of vacator (now, simply by chairman). Amends GS 163-41(b) (appointment of special registration commissioners in counties with loose-leaf registration) to provide that such commissioners shall take oath required of regular registrars (now, special oath prescribed) and to provide that such commissioners may receive applications and administer oaths for registration but have no power relating to holding of any election. Registrations executed before such commissioners shall be official only when received and approved by county board of elections, which may register electors to extent only of reviewing, processing, rejecting or completing applications submitted to it by special registration commissioners. All registrars may register any citizen within county and all commissioners may receive applications and administer oaths for registration at any time or place within county regardless of precinct residence of registrar, commissioner, or registree, with county boards of elections to have power to limit authority of registrars to their own precincts, wards, or election districts and to limit areas over which any special registration commissioner may exercise authority.] To Calendar Committee.

HB 1346 - Introduced by Garren and others

"To amend Article 3 of Chapter 163 of the General Statutes, as recodified by the Session Laws of 1967, so as to provide for the appointment of the State Board of Elections." [Amends GS 163-19 (appointment of State Board of Elections) to provide that four of five members of board be appointed, two each, by State Executive Committees of two political parties with candidates receiving most votes in preceding gubernatorial election for terms beginning July 1, 1967, and fifth be chosen by those four, or by Governor if they are unable to agree within 30 days of their appointment (now, five chosen by Governor for terms beginning May 1, 1969); to change termination date of present members to conform; and to delete provisions for filling vacancies and for oath of members. Amends GS 163-20 (meetings, etc., of State Board) to provide for meeting within ten days of party-appointed members to select fifth member; to delete quorum specification; and to provide that any vacancy be filled in manner by which vacator chosen. Amends GS 163-22(c) to clarify duties of Board as including those appointment and vacancy filling powers in relation to county boards of elections as indicated in today's digest of HB 1344.] To Calendar Committee.

HB 1347 - Introduced by Poovey

"To amend Chapter 160 of the General Statutes, so as to provide for a referendum in annexation procedures under Part 2 and Part 3 of Article 36 of the General Statutes." [Adds to GS 160-453.5(d) (public hearing on proposed annexation by municipalities of less than 5000) provisions for referendum on annexation as follows; governing body shall order referendum on submission of petition signed by 15% of qualified voters in area of proposed annexation or by 15% of qualified municipal voters who voted in last gubernatorial election on or before date of public hearing; election to be held by county board of elections within 60 days from date of hearing in area requesting referendum. Enabling resolution by board of elections to

contain various information, including description of area of proposed annexation, provision for special registration and other necessary provisions, and to be published in at least one county newspaper once weekly for 30 days prior to opening of registration books. Cost of election to be paid by municipality, with election held under applicable procedures of municipality involved. If voters, on ballot provided, favor annexation, effective date of same may be within 12 months of certification of results. Negative vote terminates annexation effort. Makes conforming changes in GS 160-453.5(3)(4) (effective date of annexation). Makes same changes in sections relating to annexation by municipalities larger than 5000 (GS 160-453.17(d), -453.17(e)(4), and -453.18(a).] To Calendar Committee.

HB 1348 - Introduced by Fenner and Ragsdale

"To impose a ten cents (10¢) per bottle tax on unfortified, fortified, and sweet wines." [Adds new GS 18-82.1 providing as follows: Levies additional tax of 10¢ per bottle on sale of unfortified, fortified, and sweet wines, to be paid by all wholesalers and importers. On or before 15th day of each month each such payor shall remit to Commissioner of Revenue 10¢ for each bottle sold to retailers within State during preceding month and report indicating total bottles sold during that month and number to retailers in each county and municipality (tax not to be imposed on wines sold to ABC Boards which under GS 18-39(3) bear similar tax.) Failure to so remit is misdemeanor punishable by fine or imprisonment in descretion of court or both. Commissioner of Revenue shall determine annually on Oct. 1, and distribute within 60 days, to cities and counties all such taxes collected within those units respectively, which may be used by them as other general or surplus funds. Commissioner of Revenue may make rules and regulations to implement act and may prescribe appropriate reporting forms. Effective October 1, 1967.] To Finance.

HB 1349 - Introduced by Taylor of Transylvania and others

"To amend Chapter 163 of the General Statutes, as recodified by the Session Laws of 1967, relating to the powers and duties of the State Board of Elections." [Amends GS 163-238 (report of violations) to require Attorney General to prosecute violator of article on absentee ballots when such violation reported to him by State Board of Election (now, prosecution is duty of solicitor of appropriate solicitorial district). Identical with SB 682.] To Calendar Committee.

HR 1352 - (Joint Resolution) Introduced by Garner

"Concerning Joseph Dewese Ross, former member of the House of Representatives from Randolph County." [Memorializing former Representative Joseph Dewese Ross.] Passed three readings and sent to Senate.

HB 1353 - Introduced by Gunn and others

"To amend G.S. 15-197 and G.S. 15-199(14), so as to enforce suspended sentences, expedite the administrations of the criminal law, extend the authority of the Department of Probation, and implement work-release at the local level." [Amends GS 15-197 to constitute all conditional releases by way of suspension of rendition or execution of sentence as judgments of probation, subject to supervision of Department of Probation as court may direct and modify by terms of GS Ch. 15, Art. 20 (now, such releases may be modified as provided by GS Ch. 15, Art. 20). Amends GS 15-199(14) (relating to conditions of probation) by making following changes: (1) Specifies that court may in its discretion, on defendent's request, place him "on Work-Release at the local level" (adds quoted words and eliminates requirement of a statement of availability of jail accomodations before court order of plan of incarceration set out by subsection). (2) Specifies that court may with consent of defendant "either with or without incarceration" (adds quoted words) require surrender of all or part of his earnings for costs of incarceration of defendant, support of his dependants and other purposes.] To Calendar Committee.

HB 1355 - Introduced by Britt of Johnston

"To make technical amendments to certain sections of Chapter 160 of the General Statutes." [Purports to amend last sentence of GS 160-453.6 to substitute "writ" for "unit" (no such word in cited sentence). Amends GS 160-453.11 and 160-453.23 to specify that old annexation procedures remaining in effect until 1962 are those of Part 1, Art. 36 of GS Ch. 160 (now, merely Art. 36).] To Calendar Committee.

HB 1356 - Introduced by Short

"To amend G.S. 20-30(e) and G.S. 20-17, imposing penalties on persons conspiring to procure drivers' licenses by fraudulent means." [Apparently intends to amend paragraph (5) of GS 20-30 (prohibiting certain fraudulent means of obtaining drivers' licenses) to include in the prohibition the procurement of another or the knowing permission or allowance of another to commit any of those acts. Amends GS 20-17 (mandatory revocation of licenses for certain reasons) to add as grounds for such revocation the conviction of offense indicated above in GS 20-30(5).] To Calendar Committee.

HB 1358 - Introduced by Ramsey of Person

"To amend G.S. 115-51 relating to school food services provided by county and city boards of education." [Identical with SB 675, digested in the Senate section of today's bulletin.] To Calendar Committee.

HB 1359 - Introduced by Ramsey of Person

"To provide for escheat of funds deposited as an indemnity for motor vehicle collision damages under the Motor Vehicle Safety and Financial Responsibility Act of 1953 after notice to depositors if such funds remain unclaimed for five years." [Adds to GS 20-279.10 (providing for deposit as indicated in title) provision that one year after deposit of such security Commissioner of Motor Vehicles shall notify depositor by registered mail to last known address of right of depositor to refund of security on demonstration of absence of suit and unpaid claim from accident for which funds deposited. Three years after deposit if no claim has been received DMV shall notify depositor and post notice at courthouse of his last known county of address containing certain specified information; two years from such notice if no claim has been made, that failure and fact of notice shall be certified to State Treasurer who shall turn deposit over to UNC as escheat.] To Calendar Committee.

HB 1360 - Introduced by Baugh

"To provide that persons may not serve more than two consecutive terms as members of the Advisory Budget Commission." [Amends GS 143-4 (Advisory Budget Commission) to provide as title indicates (now, no provisions concerning consecutive terms); if chairman of House or Senate Finance or Appropriations Committees becomes thus ineligible, presiding officers of appropriate body to appoint replacement member. Part term to be treated as full term for purposes of section. Present members of Commission shall not be eligible for reappointment if upon expiration of present terms they have served at least two consecutive terms on Commission.] To Calendar Committee.

HR 1361 - (Joint Resolution) Introduced by Baugh

"Creating a commission to study the sales and use tax laws and to make recommendations to the 1969 General Assembly." [Creates Sales and Use Tax Study Commission composed of four members appointed by Speaker and four by President of Senate from membership of 1967 General Assembly before its adjournment. Commission shall make study as title indicates, and recommend changes aimed at stable and equitable tax system, yet attractive to industrial location. Commission shall organize by electing from its membership a chairman and vice chairman and may employ necessary clerical and professional assistance. Members shall be paid expenses as allowed State boards generally from C&E Fund; total Commission expenditures not to exceed $30,000. Commissioner of Revenue and Director of Department of Tax Research shall make staffs available. Commission shall report to 1969 House and Senate Finance Committee chairmen within one week of their appointment.] To Calendar Committee.

HR 1362 - (Joint Resolution) Introduced by Baugh

"Creating a commission to study the advisability of having annual sessions of the General Assembly and providing a permanent research staff for the General Assembly." [Creates Legislative Sessions and Permanent Research Staff Study Commission to be composed of eight members as follows: four to be appointed by Speaker of House and four by President of Senate. All are to be appointed before adjournment of 1967 General Assembly and shall be members thereof. Commission shall study advisability and feasibility of annual sessions and of providing a permanent research staff for General Assembly, and make such recommendations it deems advisable. Commission shall elect from its membership a chairman and vice chairman and employ such clerical and other assistance and professional services as it deems necessary. Members to receive same expenses provided for state boards generally; expenditures of commission to be paid from C&E Fund, with total expenses not to exceed $30,000. Commission to submit report to Speaker and President of Senate not later than February 21, 1969.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1350 - Introduced by Haynes

"To provide for elections in the Towns of Jonesville and Arlington on the consolidation of said towns, and subject to such elections to provide a charter for the Town of Jonesville." [Substantially identical with HB 1322, introduced by Rep. Merritt, and digested in Bulletin No. 89 at page 906, except as follows: (1) Interim mayor and councilmen listed in HB 1322 (Mayor Wilkins, Councilmen Osborne, Barr, etc.) shall serve from Sept. 20, 1967 until first Wednesday in May, 1968 (in HB 1322, this group to serve from Sept. 20, 1967 until first Wednesday in May, 1969). (2) During the year beginning first Wednesday in May 1968, A. M. Tilley shall serve as mayor, and the following shall serve as councilmen: Thomas L. Osborne, Leon H. Martin, Wayne Moore, Harold C. Simmons, Enoch E. Templeton, Alvin C. Patterson, Sherman F. Morrison, Charles Cheek, Click Wilkins, Burley Day, and Mack Everidge, with Charles Cheek also serving as mayor pro tem. (3) Five candidates for councilmen to be nominated at town meeting for election at large (in HB 1322 three candidates for councilmen residing in Jonesville district and two candidates residing in Arlington district to be nominated, and elected by districts.)] To Calendar Committee.

HB 1351 - (Tyrrell) Introduced by Burrus and Roberson by request

"Authorizing the Board of County Commissioners of Tyrrell County to fix the compensation of its members." [As title indicates; compensation not to exceed $50/month for chairman and $15/meeting for other members, and travel allowance not to exceed 10¢/mile and actual expenses.] To Calendar Committee.

HB 1354 - (Wake) Introduced by Johnson, Bunn, McMillan and Twiggs

"To amend GS 163-146, so as to prohibit distribution of political literature on primary and general election days." [Modifies cited section (apparently referring to recodification of election laws enacted in '67 session) to provide that in Wake County no political banner, poster, placard or political literature shall be distributed on day of primary or general election for any individual candidate; Act not to prohibit display of posters on election day or to apply to bond or municipal elections.] To Calendar Committee.

HB 1357 - (Person) Introduced by Ramsey

"To permit the City of Roxboro to sell at private sale certain surplus real estate." [Identical with SB 677, digested in the Senate section of today's bulletin.] To Calendar Committee.

HB 1363 - (Craven) Introduced by Sugg, Godwin, and Taylor

"To make Chapter 504 of the Session Laws of 1965, relating to historic buildings and sites, applicable to the City of New Bern." [Subjects New Bern and area within its zoning jurisdiction to cited Chapter (authorizing certain municipalities to designate and protect historic buildings and districts).] To Calendar Committee.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 175 - Drilling and boring records, as amended in Senate 5/25. Reported favorably.
SB 208 - Intangibles tax deduction. Passed second and third readings.
SB 307 - Anti-litter act, as amended in Senate 6/2. Reported favorably.
SB 388 - Plates of uninsured revocation. Reported favorably.
SB 426 - Consolidated UNC Trustees (2) (Senate committee substitute 6/5). Reported favorably as amended.
SB 443 - Migratory waterfowl. Passed third reading.
SB 511 - Foreign Ins. Co. treatment (Senate committee substitute 6/7). Reported fav.
SB 514 - Unauthorized insurers (Senate committee substitute 6/7). Reported fav.
SB 515 - Insuring out-of-state (Senate committee substitute 6/7). Reported fav.
SB 516 - Title insurance, land guarantee. Reported favorably.
SB 542 - Fraternal society benefits. Reported favorably as amended.
SB 566 - Cities' travel expense payment. Reported favorably.
SB 571 - Insurance-power of attorney. Reported favorably.
SB 614 - Metal dealer regulations, as amended in Senate 6/9. Passed second and third readings.
HB 119 - Local bond absentee voting. Reported favorably as to House committee substitute as amended. Committee substitute adopted adding to GS 163-226 (HB 146) provision that any qualified voter of county qualified to vote by absentee ballot in State-wide general election be authorized to vote an absentee ballot in any county bond election. (Original, incorporates provision as amendment to GS 163-54.) Makes various sections of HB 146 applicable to county bond elections as well as state-wide elections--GS 163-136(c), and 163-227 through 163-230.
HB 307 - Pollution control exemption. Reported favorably.
HB 353 - Child care licensing II. Reported unfavorably.
HB 542 - Marriage record amendments, (House committee substitute 6/13). Passed second and third readings.
HB 558 - 18-year school attendance, as amended in House 6/13. Passed third reading.
HB 650 - Worthless checks. Amendment adopted providing that statement be dated and signed by an officer of bank and that rule of evidence be applicable only with respect to checks presented for payment not later than third banking day (original, "first") succeeding date of issuing or uttering. Passed second and third readings.
HB 906 - Constitutional convention. Reported unfavorably.
HB 954 - Deceptive real estate contract, (House committee substitute 6/13). Passed second and third readings.
HB 985 - Eliminating welfare liens. Reported unfavorably.
HB 994 - Well contractors licensing, as amended in House 6/9. and 6/13. Postponed inde
HB 1011 - Open meetings. Postponed to 6/15.
HB 1062 - Municipal fidelity bonds, as amended in Senate 6/9 and 6/13. Received for concurrence in Senate amendment; concurred.
HB 1079 - Inland water boat pollution. Reported favorably.
HB 1112 - Mortgage brokers license (House committee substitute 6/8). Floor amendment adopted providing that broker need not obtain privilege license if sale or discount occurs within period specified in the arrangement or extensions or when at time of advance mortgage broker intends to sell obligation to others at later date and, within 12 months from date of initial advance, makes arrangements with others for sale of obligation and does sell obligation within period specified in said arrangement or extensions thereof; or because he advances his own funds in temporary financing directly involved in production of permanent-type loans for sale to others. (Substitute provides that broker need not obtain privilege license if he sells or discounts such obligation to same person or persons as agreed before advancing any of his own funds.) Passed second and third readings.

HB 1144 - Credit card insurance, (House committee substitute 6/13). Passed second and third readings.
HB 1148 - Attorney-in-fact commissions. Passed second and third readings.
HB 1159 - $5,000 elderly property exempt. Reported unfavorably.
HB 1167 - Mutual deposit guaranty ass'ns. Reported favorably.
HB 1189 - Assigned risk default judgments, as amended in House 6/12. Floor amendments adopted adding provisions as follows: (1) that act not to apply when assigned risk insured has delivered copy of pleadings served on him to his insurance carrier within time provided by law for filing responsive pleadings; (2) that Commissioner of Motor Vehicles and Assigned Risk Bureau furnish plaintiff information whether policy is an assigned risk; (3) that if insurance company on its own motion moves to intervene in suit, it must be a named partydefendant. Passed second and third readings.
HB 1193 - Roadside junkyard control. Reported favorably as amended.
HB 1194 - Highway beautification. Reported favorably as amended.
HB 1195 - Billboard regulation. Reported favorably as amended.
HB 1200 - Motor vehicle brakes. Passed second and third readings.
HB 1201 - County capital reserves. Passed second and third readings.
HB 1206 - Outstate attorneys practice. Passed second and third readings.
HB 1209 - Add 2 AG court reports. Passed second and third readings.
HB 1220 - Pers'l injury med'l report. Floor amendment adopted providing that physician, dentist, trained nurse, hospital, etc., furnish stipulated documents to attorney representing injured person without charge to attorney as condition precedent to creation of lien (original, provides that such documents be furnished upon request and without charge therefor). Passed second and third readings.
HB 1222 - Retirement system investments, (House committee sub.6/13). Postponed to 6/15.
HR 1223 - (Joint Resolution) Minimum TSER pensions. Postponed to 6/15.
HB 1224 - $15,000 State tort liability. Passed second and third readings.
HR 1230 - (Joint Resolution) Tax Study Commission. Passed second and third readings.
HB 1231 - Child detention alternate. Passed second and third readings.
HB 1245 - Metal dealer regulation. Amendment adopted requiring that make and type of vehicle, together with license plate number be added to list of items kept in register. Postponed indefinitely.
HB 1246 - Welfare board appointment. Floor amendment adopted adding provision to GS 108-38 that county commissioners shall, consistent with provisions of Federal Social Security Act, State Personnel Act, and County Fiscal Control Act, determine number and salary of county welfare employees, having been advised by county director of welfare and State Board of Public Welfare (original, deleted provision in GS 108-38 for a determination by county commissioners and county boards of welfare of number and salary of employees of county boards of welfare.) Passed second and third readings.
HR 1250 - (Joint Resolution) LRC law research study. Passed second and third readings.
HB 1253 - Revenue Act codification. Passed second and third readings.
HB 1254 - Machinery Act codification. Passed second and third readings.
HB 1259 - Eminent domain counsel fees. Passed second and third readings.
HB 1260 - Nursing direct payments. Reported favorably.
HB 1262 - Front lamps to head lamps. Passed second and third readings.
HB 1265 - Log hauler overload. Reported unfavorably.
HB 1273 - Frying Pan Lightship Comm'n. Passed second and third readings.
HB 1274 - Budgeting school lunch costs. Reported unfavorably.
HB 1277 - Coastal fisheries self assessment. Reported favorably as amended.
HB 1278 - Podiatry practice changes. Passed second and third readings.
HB 1285 - Workmen's comp. cancellation. Passed second and third readings.
HB 1300 - Fish napping punishment. Passed second and third readings.

HB 1319 - New truck safety belts. Failed to pass second reading.
HB 1321 - Blind Comm. Exec. Committee. Passed second and third readings.
HB 1335 - Changing primary time. Reported favorably as amended.
HR 1352 - (Joint Resolution) Memorializing Ross. Passed three readings.

LOCAL BILLS

SB 340 - (Craven) School board election, (Senate committee substitute 6/9). Received from Senate; sent to Education.
SB 353 - (Gaston) School consolidation, as amended in Senate 6/9. Received from Senate; sent to Education.
SB 606 - (Durham) Fire district contraction. Passed.
SB 615 - (Edgecombe) County officials salaries. Received from Senate; sent to Judiciary 2.
SB 619 - (Gaston) Gastonia ABC elections. Received from Senate; sent to Judiciary 2.
SB 625 - (Alamance) Officials pay. Received from Senate; sent to Judiciary 2.
SB 626 - (Cumberland) Sheriff to dogs. Received from Senate; sent to Judiciary 1.
SB 637 - (Cherokee) Andrews ABC election. Received from Senate; sent to Calendar Committee.
SB 653 - (Robeson) Lumberton land transfer. Passed.
SB 676 - (Wilkes) N. Wilkesboro land conveyance. Received from Senate; placed on Calendar.
HB 237 - (Davidson) School board election. Reported favorably as to House committee substitute. Committee substitute adopted adding provisions that if no more candidates file for membership than positions to be filled, no primary election to be necessary and names of such candidates to be certified as nominees. Adds that primary election and general election for Board members to be nonpartisan with no political party affiliation to appear on primary or general election ballots and that in case person nominated as candidate dies or removes himself, candidate to be appointed by County Commissioners. (Original, provides that in such case candidate to be appointed by executive committee of political party of which dead or disqualified candidate was member.)
HB 727 - (Columbus) Whiteville charter revision, as amended in Senate 5/18 and 6/8. Concurred in Senate amendments.
HB 826 - (Watauga) Officials salaries, as amended in Senate 6/9 Senate for concurrence in Senate amendment; concurred.
HB 1243 - (Wake) Raleigh noncontiguous annex. Floor amendment adopted making technical change and providing that any area, annexed pursuant to act not to be included in area of municipal boundaries used for determining extra-territorial jurisdiction of city for purposes of defining an area as contiguous to city limits within provisions of GS Ch. 160, Art. 36, Sec. 3 with reference to further annexation until area touches municipal boundaries of city wherein is located the City Hall (original, refers to area which touches and becomes part of present municipal boundaries). Adds provision that any area annexed may be included at only 40% of normal rate for purposes of population density or character of any larger area, to be annexed at any future date pursuant to cited GS Section. Postponed to 6/15.
HB 1256 - (Vance) Sheriff's fee. Passed.
HB 1279 - (Dare) ABC enforcement funds change. Passed.
HB 1291 - (Cumberland) Auditorium tax. Floor amendment adopted setting levy at 3¢ (original, 5¢).
HB 1292 - (Cumberland) Auditorium funds. Amendment adopted changing name of Memorial Auditorium to Cumberland County Memorial Auditorium --Exhibit Hall and excluding ABC funds from being expended for maintenance of Auditorium (original, authorizes county commissioners without limitation as to amount to expend non-tax revenues of county for such purpose.) Passed.

HB 1293 - (Pender) Surf City, Topsail surfing. Passed.
HB 1303 - (Halifax) County comm'rs compensation. Passed.
HB 1320 - (Carteret) Property tax listing. Passed.
HB 1322 - (Yadkin) Jonesville-Arlington merger. Passed. Vote by which passed second and third readings reconsidered. Passed second reading.
HB 1323 - (Edgecombe) Jail fees. Passed.

BILLS RATIFIED

SB 211 - Loan collection amendments. [Ch. 769]
SB 223 - Duct heating licensing, as amended in Senate 5/10, (Senate committee substitute 6/1). [Ch. 770]
SB 436 - Bedding stamp fee. [Ch. 771]
SB 479 - (Nash) County zoning powers, as amended in House 6/9. [Ch. 772]
SB 541 - (Henderson) School tax levy vote, as amended in Senate 5/29 and in House 6/8. [Ch. 773]
SB 550 - Agricultural notice. [Ch. 774]
SR 668 - (Joint Resolution) Honoring 1967 Miss NC. [R 62]
HB 146 - Election law codification, as amended in House 5/16 and 5/17 and in Senate 5/31. [Ch. 775]
HB 574 - General Assembly compensation, as amended in Senate 6/9. [Ch. 776]
HB 582 - Official records distribution, as amended in Senate 6/9. [Ch. 777]
HB 664 - (Rutherford) Water and sewerage liens, (House committee substitute 5/24), ratified as Ch. 776, was mistitled in yesterday's bulletin as (Caldwell) Water and sewerage liens.
HB 772 - (Pitt) Additional commissioners, as amended in Senate 6/9. [Ch. 778]
HB 851 - (Lee) School board merger, (House committee substitute 6/1). [Ch. 779]
HB 884 - (Vance) Henderson Charter revision, as amended in House 5/31. [Ch. 780]
HB 888 - (Wake, Durham) R-D Airport land transfers, (House committee substitute 5/25). [Ch. 781]
HB 1008 - (Mecklenburg) Officials' salary raise. [Ch. 782]
HB 1054 - (Greene) County officials salary. [Ch. 783]
HB 1055 - (Greene) School board salaries. [Ch. 784]
HB 1122 - (Wayne) School board election. [Ch. 785]
HB 1165 - (Lee) Sanford aldermen salaries. [Ch. 786]
HB 1190 - (Caldwell) School board election. [Ch. 787]
HR 1316 - (Joint Resolution) Honoring Black Knights. [R 61]

Next session of House: 11:00 a.m., Thursday, June 15, 1967.

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GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 92

Thursday, June 15, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 691 - Introduced by MacLean and others

"To amend G.S. 105-116 and G.S. 105-120 to revise the allocation formula for franchise taxes." [Identical with HB 1369, digested in the House section of today's bulletin.] To Finance.

SB 692 - Introduced by Moore

"To rewrite the fisheries laws relating to the taking and disposition of undersized food fish." [Repeals GS 113-185(b) and adds new GS 113-185.2 making unlawful fishing operations that result in taking undersized food fish species in excess of 25 standard fish boxes (5,278 cubic inches) per vessel per day from May 1 through October 31 or 10 boxes per day from Nov. 1 through April 30 of any year. Undersized food fish defined to be below the specified size units of the following species: red drum-14 in.; speckled trout-7 in.; Grey trout-7 in.; flounder-9 in.; striped bass-12 in.; blue fish-7 in.; mullet-6 in.; whiting (virginia mullet)-6 in.; croaker-6 in.; sheepshead-6 in.; black drum-6 in.; and spot -6 in. None of these species may be processed into food protein concentrate regardless of size. (Now, taking edible fish before they are of sufficient size as individual food fish for use as commercial bait, sale to processing plant, or sale in any manner other than for human consumption is prohibited; board authorized to establish regulations for incidental taking of edible fish.) Also makes unlawful possessing, transporting or selling such fish to dehydrating, fishmeal, fertilizer, food protein concentrate, or animal food plants. Authorizes possession, transportation, sale, and processing (for purpose other than human consumption) of refuse from edible food fish, taken incidental to taking of adult, legal sized food fish or shrimp in not exceeding following: May 1 through October 31 - 25 standard fish boxes per vessel per day; November 1 through April 30 - 10 standard fish boxes per vessel per day. Violation of act constitutes misdemeanor carrying penalty of not less than $500 for first offense and not less than $1,000 for subsequent offenses; conviction of third offense to result in suspension, for not less than one year, of all commercial fishing licenses and privileges.] To Calendar Committee.

SB 693 - Introduced by Briggs and Dent

"To provide for the pay base for longevity pay for members of the North Carolina State Highway Patrol." [Provides that longevity pay for NC State Highway Patrol to be based upon member's average salary for preceding three years, computed annually; service for any particular period at maximum annual rate for classification not to be condition of longevity pay.] To Highway Safety.

SB 694 - Introduced by White of Lenoir and Warren
"To amend G.S. 7A-312 relating to meals for sequestered jurors." [Amends cited section to provide that if presiding judge requires jurors to remain in body during trial of case, meals are to be furnished jurors during period of sequestration.] To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 269 - Cosmetic art regulation. Amendment adopted including "courses in cosmetic art given as a vocational program in a public school approved by the State Board of Education" as among those the completion of which, when approved by Board of Cosmetic Art Examiners, is qualification for cosmetologist registration. Passed second reading.
SB 270 - Public service assessment. Reported favorably as amended.
SB 271 - State Board of Assessment. Reported favorably as amended.
SB 414 - Annexation hearing. Reported favorably.
SB 428 - Unused license plate refund. Reported favorably.
SB 461 - Well contractor licensing. Reported unfavorably.
SB 525 - Engineer-surveyor change. Amendments adopted to include as "practice of engineering" the observation or inspection of construction "of such engineering works and systems" for the purpose of assuring compliance with "engineering" plans, drawings, and specifications...., (2) deleting paragraph excluding from definition of "practice of engineering" in GS 89-2(6) internal engineering activities of firm engaged in manufacturing or producing a product, and various specified related activities, (3) adding to GS 89-12 (exclusions from application of that chapter, regulating engineering and land surveying): internal engineering activities of manufacturing, processing, or producing; installation or servicing of their product; or research or development in connection with manufacture of product; or on-premises maintenance incidental to manufacture or installation by firm's employees on firm's property; unless life, health, or property of public is involved; (4) also adding to GS 89-12 routine inspection, maintenance or servicing; mechanics in performance of established functions; inspection or supervision of construction by foreman, superintendent, or agent of architect, engineer, or contractor; or routine or operational services performed by employee in laboratory, manufacturing plant, public service utility, or governmental agency or operation; and (4) deleting provision that one of registered land surveyors on Board of Registration may be a registered engineer who practices land surveying. Passed second reading; placed on calendar 6/19.
SB 581 - State Stadium Authority. Passed third reading.
SR 608 - (Joint Resolution) Tax Study Commission. Reported favorably.
SB 627 - Past-60 state retirement. Amendment adopted deleting provision added to GS 135-3(7) that would have permitted renewal of Retirement System membership by past-60 teacher receiving allowance on being restored to duty. Passed second reading.
SB 635 - Honoring bar members. Reported favorably.
SB 648 - Municipal ABC election. Reported favorably as amended. Amendment adopted (1) making act applicable to only cities of over 1,000 population, (2) deleting automatic applicability of act to county seats, (3) permitting a municipality "well known as a summer resort" to compute its population as of July in year preceding election.
SB 651 - Family court counsellor powers. Reported favorably.
SB 652 - Small claims defendants. Reported favorably.
SR 654 - (Joint Resolution) Cts. Comm. pub. defender study. Reported favorably.

HB 227 - Alimony and support payments. Reported favorably as amended.
HB 465 - 7% interest rate (House committee substitute 5/1), as amended in Senate 6/5 and 6/14. Passed third reading.

HB 542 - Marriage record amendments (House committee substitute 6/13). Received from House; sent to Calendar Committee.
HB 558 - 18-year school attendance, as amended in House 6/13. Received from House; sent to Education.
HB 624 - Trout water impoundments (House committee substitute 5/30), as amended in House 6/1 and in Senate 6/9. Re-referred to Conservation and Development.
HB 650 - Worthless checks, as amended in House 6/14. Received from House; sent to Calendar Committee.
HB 954 - Deceptive real estate contract (House committee substitute 6/13). Received from House; sent to Calendar Committee.
HB 955 - Auto manufacturers certificates. Reported favorably.
HB 956 - MV judicial sale notice. Reported favorably.
HB 993 - Dam safety certification, as amended in House 6/9. Reported favorably.
HB 996 - Water use information (House committee substitute 6/8). Reported favorably as amended.
HB 997 - Flood plain management. Reported favorably.
HB 998 - Local water storage assurances. Reported favorably.
HB 1084 - Beer-wine sales to wholesalers. Reported favorably.
HB 1102 - Preliminary hearing fees. Reported favorably.
HB 1103 - Indigent juvenile counsel, as amended in House 6/9. Reported favorably.
HB 1104 - Exempting firemen's funds. Reported favorably.
HB 1112 - Mortgage brokers license (House committee substitute 6/8), as amended in House 6/14. Received from House; sent to Finance.
HR 1113 - (Joint Resolution) Aging ad. val. tax exempt study. Reported favorably.
HB 1144 - Credit card insurance (House committee substitute 6/13). Received from House; sent to Insurance.
HB 1145 - County courthouse-jail tax. Reported favorably.
HB 1148 - Attorney-in-fact commissions. Received from House; sent to Calendar Committee.
HB 1152 - Adoption of adults, as amended in House 6/12. Reported favorably.
HB 1189 - Assigned risk default jdgmts, as amended in House 6/12 and 6/14. Received from House; sent to Insurance.
HB 1200 - Motor vehicle brakes. Received from House; sent to Highway Safety.
HB 1201 - County capital reserves. Received from House; sent to Finance.
HB 1206 - Outstate attorneys practice. Received from House; sent to Calendar Committee.
HB 1209 - Add 2 AG court reports. Received from House; sent to Calendar Committee.
HB 1220 - Pers'l injury med'l report, as amended in House 6/14. Received from House; sent to Calendar Committee.
HB 1224 - $15,000 State tort liability. Received from House; sent to Judiciary 1.
HR 1230 - (Joint Resolution) Tax Study Commission. Received from House; placed on calendar for 6/16.
HB 1231 - Child detention alternate. Received from House; sent to Calendar Committee.
HB 1246 - Welfare board appointment, as amended in House 6/14. Received from House; sent to Public Welfare.
HR 1250 - (Joint Resolution) LRC law research study. Received from House; sent to Calendar Committee.
HB 1253 - Revenue Act codification. Received from House; sent to Calendar Committee.
HB 1254 - Machinery Act codification. Received from House; sent to Calendar Committee.
HB 1259 - Eminent domain counsel fees. Received from House; sent to Calendar Committee.
HB 1262 - Front lamps to head lamps. Received from House; sent to Highway Safety.
HB 1273 - Frying Pan Lightship Comm'n. Received from House; sent to Calendar Committee.
HB 1278 - Podiatry practice changes. Received from House; sent to Judiciary 2.
HB 1285 - Workmen's comp cancellation. Received from House; sent to Insurance.
HB 1300 - Fish napping punishment. Received from House; sent to Calendar Committee.

HB 1321 - Blind Comm. Exec. Committee. Received from House; sent to Calendar Committee.
HR 1368 - (Joint Resolution) Honoring Society of Friends. Received from House; passed three readings.

LOCAL BILLS

SB 644 - (Union) Monroe contracts. Passed.
SB 650 - (Edgecombe) Speed clerk. Passed.
SB 672 - (Cherokee) Voter assistance. Technical amendment adopted. Passed.

HB 626 - (Forsyth) Winston-Salem purchasing. Passed third reading.
HB 1106 - (Beaufort) Washington election changes, as amended in House 6/7. Passed.
HB 1208 - (Ashe) School board conveyance. Passed.
HB 1212 - (Macon) Highlands land sale. Passed.
HB 1213 - (Sampson) Clinton single shot voting. Passed.
HB 1219 - (Lenoir) La Grange retirement. Passed.
HB 1228 - (Guilford) High Point personnel probation. Passed.
HB 1229 - (Cumberland) Sheriff to dogs. Passed.
HB 1235 - (Mecklenburg, Durham) Charlotte redevelopment bids, as amended in House 6/7. Passed.
HB 1237 - (Orange) Carrboro tax liens in Chapel Hill. Passed.
HB 1247 - (Northampton) Garysburg governing body. Passed.
HB 1252 - (Avery) School boardland conveyance. Passed.
HB 1256 - (Vance) Sheriff's fee. Received from House; sent to Calendar Committee.
HB 1279 - (Dare) ABC enforcement funds change. Received from House; sent to Calendar Committee.
HB 1292 - (Cumberland) Auditorium funds, as amended in House 6/14. Received from House; sent to Calendar Committee.
HB 1293 - (Pender) Surf City, Topsail surfing. Received from House; sent to Calendar Committee.
HB 1303 - (Halifax) County comm'rs compensation. Received from House; sent to Calendar Committee.
HB 1320 - (Carteret) Property tax listing. Received from House; sent to Calendar Committee.
HB 1323 - (Edgecombe) Jail fees. Received from House; sent to Calendar Committee.

Next session of Senate: 10:00 a.m., Friday, June 16, 1967.

BULLETIN NO. 92
Thursday, June 15, 1967

Session: House -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1364 - (Joint Resolution) Introduced by Mills of Anson
"Authorizing and directing the President of the Senate and the Speaker of the House of Representatives to provide that the General Assembly adjourn to meet on the first Wednesday after the first Monday in February of 1968." [As title indicates; provides that 1968 Session of General Assembly not to meet more than twenty-one calendar days, and Advisory Budget Commission with advice and consent of Governor to make recommendations to General Assembly to provide for appropriation of funds. All bills to be introduced during first 10 calendar days and referred to a calendar committee.] To Calendar Committee.

HB 1365 - Introduced by Hill
"To authorize certain funds to be used for the nourishment and maintenance of civil works projects." [Authorizes use of up to $300,000 of $500,000 matching funds allocated to Seashore Commission for capital improvements under 1965 capital improvement appropriation act (SL 1965, Ch. 916) for nourishment and maintenance of civil works projects constructed or to be constructed in NC.] To Appropriations.

HR 1368 - (Joint Resolution) Introduced by Phillips and others
"Commemorating the coming of the Society of Friends (Quakers) to North Carolina and the Fourth World Conference of Friends (Quakers)-Guilford College, Greensboro, North Carolina." [As title indicates.] Passed three readings and sent to Senate.

HB 1369 - Introduced by Andrews
"To amend G.S. 105-116 and G.S. 105-120 to revise the allocation formula for franchise taxes." [Amends cited sections to provide that, out of the 6% utility franchise tax provided by these sections, there shall be allocated to each municipality 1-1/4% of the gross receipts from sales within the municipality effective June 30, 1968 (now, 3/4 of 1%), 2% effective June 30, 1969, and 3% effective June 30, 1970. Identical with SB 691.] To Finance.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1366 - (Burke) Introduced by Ervin
"To amend HB 766 (Chapter 646, Session Laws of 1967, ratified May 31, 1967) with respect to the method of voting upon the establishment of one administrative unit for all of the public schools in Burke County and the issuance of not exceeding $8,000,000 school building bonds of Burke County." [Amends cited act as follows: (1) deletes requirement that amount of school bond election be determined by Burke County Board of Commissioners upon request of majority of members of existing Burke County, Morganton and Glenn Alpine Boards of Education. (2) Provides that at the election four questions be submitted to voters of County with respect to (a) merger and consolidation of County, Morganton and Glen Alpine Administrative Units into one administrative unit with one board of education, (b) authorization not exceeding $8,000,000 school building bonds of county to provide funds with any other available funds for construction of new consolidated high schools to be located in accordance with recommendations of State Survey; (c) whether Burke County Public Schools Board of Education should be required to request and county commissioners be required to appropriate annually from general tax revenues such amounts necessary to provide funds which shall be no less than current expense expenditures per student

levied and appropriated to administrative units in county school system during fiscal year in which election held; (d) whether county board of commissioners shall be required to levy a county-wide supplemental school tax not to exceed 50¢ per $100 assessed valuation; (HB 766 sets forth substantially similar items in statement form). (3) Provides that such bonds be issued pursuant to County Finance Act (GS Ch. 153, Art. 9) and for purposes provided in GS 153-77(1) (new) and that election be held in same manner as elections held to determine question of issuance of bonds provided that election not be held at time of any other election or in conjunction with an election for any other purpose; (HB 766 provides only that election to be conducted in accordance with applicable provisions of General Statutes). (4) Provides that form of ballot to be determined by Board of County Commissioners and permits use of voting machines (HB 766 sets out ballot and makes no mention of voting machines). (5) Provides that financial administration of county board of education to be governed by appropriate GS sections as they apply to financial administration of county school administrative units and that monthly payroll as to each school to be signed by principal of school and that whenever county board of education authorized to execute any contract, conveyance or other instrument vice-chairman to have same authority as chairman to execute such documents; (HB 766 provides that County Public Schools Board of Education appoint a treasurer of all school bunds of County Schools Administrative Unit and sets out duties of treasurer). (6) Provides that if all conditions to issuance of bonds are not complied with, no school building bonds to be issued and county commissioners to repeal order authorizing such bonds if order approved by voters (HB 766 provides that preceding sections of act contingent upon merger under plan set forth in act, issuance of bonds pursuant to County Finance Act and construction of new consolidated high school, requiring county board of education to request and county commissioners to appropriate annually from general tax revenues certain funds to administrative units in county school system and requiring county commissioners to levy county-wide supplemental school tax).] To Calendar Committee.

HB 1367 - (Gaston) Introduced by Stewart

"To amend Chapter 212, Session Laws of 1955, so as to fix the compensation of the Clerk and Deputy Clerks of the Municipal Court of the City of Gastonia." [Authorizes city council to fix salaries of clerk and deputy clerks of municipal court at amounts up to $8,000 per annum. (1955 Act provides $1,500).] To Calendar Committee.

HB 1370 - (Martin) Introduced by Barbee, Everett and Gregory

"To amend Chapter 775, Session Laws of 1967, as it relates to the marking of ballots, so as to make it applicable to Martin County." [Makes GS 163-151(c)2 of HB 146, ratified as SL 1967, Ch. 775, applicable to Martin County (section provides that when multiple positions to be filled in single office at municipal primary voter required to cast vote for as many candidates as positions to be filled).] To Elections and Election Laws.

HB 1371 - (Guilford) Introduced by Short

"To amend Chapter 971 of the Session Lawsof 1955, as amended, so as to fix the salaries of the solicitors of the Municipal-County Court of Greensboro." [Amends cited section as amended by SL 1965, Ch. 683, by setting salary of senior solicitor at $11,000 per year (same) and salaries of other solicitors at not less than $9,000 nor more than $10,500 per year (now $9,000 per year).] To Calendar Committee.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 33 - Education board elections (Senate committee substitute 6/7), as amended in Senate 6/12. Received from Senate; sent to Education.
SB 194 - Extending embezzlement. Reported favorably.
SB 209 - Hospital facility leasing. Reported favorably.
SB 394 - Assigned risk liability hike. Received from Senate; sent to Insurance.
SB 400 - Marshland dredging (Senate committe substitute 6/1), as amended in Senate 6/14. Received from Senate; sent to Judiciary 2.
SB 405 - Welfare Department adoption, as amended in Senate 5/16. Reported favorably.
SB 412 - Hospital patient statement (Senate committee substitute 6/6). Reported favorably.
SB 425 - Administrative procedures, as amended in Senate 6/7. Reported favorably.
SB 441 - Redevelopment changes, as amended in Senate 6/7. Reported favorably.
SB 471 - Registers corporate filing. Reported favorably.
SB 482 - Coastal area insurance #II (Senate committee substitute 6/9) as amended in Senate 6/14. Received from Senate; sent to Calendar Committee.
SB 509 - Phase out mayor's court. Reported favorably.
SB 549 - Minor's divorce suits. Reported favorably as amended.
SB 556 - Butner hospital site cession. Reported favorably.
SB 578 - Psychologist licensing, as amended in Senate 6/9 and 6/14. Received from Senate; sent to Judiciary 2.
SB 607 - Interstate mining compact, as amended in Senate 6/9. Received from Senate; sent to Judiciary 1.
SB 617 - Coastal fisheries self-assessment, as amended in Senate 6/9. Received from Senate; sent to Judiciary 2; withdrawn from Judiciary 2; put on calendar 6/16.
SR 632 - (Joint Resolution)LRC coastal insurance study. Received from Senate; sent to Calendar Committee.

HB 102 - Governor's highway safety. Reported unfavorably.
HB 119 - Local bond absentee voting (House committee substitute 6/14). Amendment adopted correcting typographical error. Passed second and third readings.
HB 180 - Epileptic disability benefits. Reported unfavorably.
HB 233 - Counting absentee votes. Reported favorably as amended.
HB 307 - Pollution control exemption. Failed to pass second reading.
HB 356 - Water-air resources board (House committee substitute 5/16), as amended in Senate 6/9 and 6/14. Received for concurrence in Senate amendment.
HB 891 - Parking light use restriction. Reported favorably.
HB 980 - Regulating pharmacist's as amended in Senate 6/14. Received for concurrence in Senate amendment; concurred.
HB 1011 - Open meetings. Amendments adopted (1) requiring keeping of full and accurate minutes of meetings covered by act, recording votes on matters acted upon and open to public inspection (in original, every matter to be put to vote and recorded and open to public inspection and copying); (2) deleting words making act applicable to boards, etc., "supported in whole or in part by public funds, or engaged in expending public funds,"; (3) making act inapplicable to meetings of Council of State, boards enumerated in GS 150-9 (boards falling under Uniform Revocation of Licenses Act) or other boards, etc., statutorily authorized to investigate, examine, and determine qualifications for applicants for professional licenses or to suspend, revoke or take disciplinary action relating to holders of, such licenses; act not to affect Uniform Revocation of Licenses Act; and (4) deleting section making participation in a meeting violating act a misdemeanor. Floor amendment adopted (1) removing section nullifying actions

adopted at meetings violating act, and (2) providing that body may, during amy regular or special meeting hold executive session and exclude public to consider information regarding appointment, employment, demotion, suspension, dismissal, or removal of public officer or employee subject to jurisdiction of such body, or to hear complaints or charges brought against him (unless, after reasonable notice of any complaint or charges, he requests a public hearing) and to consider acquisition or sale of property, with no final action on any such matter except in open session. Passed second and third readings.

HB 1068 - Guard jury duty exemption. Reported unfavorably.

HB 1079 - Inland water boat pollution. Postponed to 6/16.

HB 1155 - Department of Correction. Withdrawn from State Government; re-referred to Judiciary 1.

HB 1173 - Contract carriers permits. Reported favorably.

HB 1174 - Contract carrier defined. Reported favorably.

HB 1198 - CSC employee sick leave. Reported favorably as to committee substitute; substitute adopted providing that earned sick leave credit be certified to Administrative Office of the Courts (originally, State Personnel Dept.) by official or employee responsible for keeping sick leave records for county and Administrative Office of Courts (originally, State Personnel Dept.) to accord such transferred sick leave credit same status as if it had been earned as State employee. Adds provision that all clerks, assistant clerks, deputy clerks and other clerical employees of courts inferior to Superior Court abolished by GS Ch. 7A (General Court of Justice) who thereafter become State employees, by employment in office of clerk of Superior Court, to be entitled to transfer sick leave earned as municipal or county employee pursuant to municipal or county system in effect on date said court was abolished but not exceeding earned sick leave totaling 30 work days; credits to be certified to Administrative Office of the Courts. Retroactive to December 5, 1966 with respect to employees whose status has already been changed by law. (Originally, retroactive without specifying date.)

HB 1202 - Utilities Commission appeals. Reported favorably.

HB 1214 - Dormant carrier franchises. Reported favorably.

HB 1215 - Transferred carrier franchises. Reported favorably.

HB 1216 - Exempt motor carriers. Reported favorably.

HB 1232 - Union bus station services. Reported favorably.

HB 1275 - Workmen's Comp. "injury." Reported unfavorably.

HB 1276 - Workmen's Comp. counsel fees. Reported unfavorably.

HB 1277 - Coastal fisheries self assessment. Amendment adopted making technical and clarifying changes, deleting requirement that financial officer of agency publish statement of amounts received under Act within 30 days after end of calendar year, and adding requirement that Board make annual audit of agency financial records and publish at least once in one or more newspapers of general circulation in area copy or summary of audit. Adds provision that bond to agency to run in favor of agency. Postponed to 6/16.

HB 1288 - Private parking place changes. Reported favorably as amended.

HB 1289 - Abandoned vehicle changes. Reported favorably as amended.

HB 1297 - Felony-misdemeanor charges. Reported favorably as amended.

HB 1319 - New truck safety belts. Vote by which failed to pass second reading reconsidered.

HB 1326 - NHSA benefits to State. Reported favorably.

HB 1342 - Municipal Hwy. safety act aid. Reported favorably.

HR 1366 - (Joint Resolution) Honoring Society of Friends. Passed second and third readings.

LOCAL BILLS

SB 257 - (Jackson) Commissioners compensation (Senate committee substitute 6/6). Passed.
SB 367 - (Johnston) Four Oaks annexation, as amended in House 6/2 and 6/14. Passed third reading.
SB 423 - (Craven) School board compensation. Passed.
SB 500 - (Durham) Redefining corporate limits. Pased third reading.
SB 577 - (Polk) Tryon school unit. Passed.
SB 586 - (Gaston) Bessemer city charter. Passed third reading.
SB 643 - (Madison) Personnel salaries, number. Received from Senate; sent to Calendar Committee.
SB 657 - (Onslow) Jacksonville charter revision, as amended in Senate 6/13. Received from Senate, sent to Judiciary 1.

HB 237 - (Davidson) School board election (House committee substitute 6/14). Passed.
HB 727 - (Columbus) Whiteville charter revision, as amended in Senate 5/18 and 6/8. Passed third reading.
HB 779 - (Beaufort) Drainage districts. Passed third reading.
HB 833 - (Richmond) Hamlet ABC profits. Passed.
HB 1139 - (Rockingham) One big city, as amended in House 6/13. Passed third reading.
HB 1236 - (Carteret) School board appointment. Passed.
HB 1264 - (Alexander, Burke, Caldwell) Home tax rule. Passed.
HB 1266 - (Brunswick) Officials' salaries. Amendment adopted raising salary of office deputy from $310 (original bill) to $345 per month.
HB 1280 - (Halifax) Enfield charter revision. Passed third reading.
HB 1286 - (Northampton) Tax collector units. Passed.
HB 1290 - (Macon) Nat. Forest funds use. Passed.
HB 1298 - (Hertford) Sheriff-weapons permits. Passed.
HB 1322 - (Yadkin) Jonesville-Arlington merger. Passed third reading.

BILLS RATIFIED

SB 208 - Intangibles tax deduction. [Ch. 788]
SB 210 - Banking Law amendments (Senate committee substitute 5/31), as amended in Senate 6/2 and House 6/9. [Ch. 789]
SB 443 - Migratory waterfowl. [Ch. 790]
SB 606 - (Durham) Fire district contraction. [Ch. 791]
SB 614 - Metal dealer regulations, as amended in Senate 6/9. [Ch. 792]
SB 653 - (Robeson) Lumberton land transfer. [Ch. 793]
HB 118 - Clergymens' privilege, as amended in House 5/10. [Ch. 794]
HB 826 - (Watauga) Officials salaries, as amended in House 5/5 and Senate 6/9. [Ch. 795]
HB 923 - Veterinarians registration fee. [Ch. 796]
HB 982 - Authorizing COG's. [Ch. 797]
HB 1025 - Local gov't funds investment, as amended in House 6/2. [Ch. 798]
HB 1061 - Municipal bond retirement. [Ch. 799]
HB 1062 - Municipal fidelity bonds, as amended in Senate 6/9 and 6/13. [Ch. 800]
HR 1352 - (Joint Resolution) Memorializing Ross. [R 63]

Next session of House: 10:00 a.m., Friday, June 16, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 93

Friday, June 16, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SR 696 - (Senate Resolution) Introduced by McGeachy
"Directing the Legislative Research Commission to study the advisability of creating a Department of Public Safety." [Directs Legislative Research Commission to study advisability of creating State Department of Public Safety which would contain State Bureau of Investigation, State Highway Patrol, and other State law enforcement agencies. Commission to conduct study with view of determining whether centralization of State law enforcement agencies would eliminate overlapping activities and provide increased coordination and more effective law enforcement at less cost.] To Calendar Committee.

SB 697 - Introduced by Ellis and others
"To amend G.S. 143-33 so as to increase the salary and the expense allowance of the Lieutenant Governor. [Amends GS 147-33 to increase annual salary of Lieutenant Governor to $15,000 (now, $2,100), in addition to compensation as presiding officer of Senate, and increase his annual expenses allowance to $4,000 (now, $3,000). Effective on such date in January, 1969, as Lieutenant Governor and other constitutional officers take office.] To Calendar Comm.

SR 698 - (Joint Resolution) Introduced by Gilmore and Moore
"Recognizing the recreational and economic importance of bird dog field trialing in North Carolina." [Commends NC Wildlife Resources Commission for accomplishments in providing Sandhills bird dog field trial course for public benefit and to urge Commission to improve facility to end that its excellence will attract such national field trial events as United States Open.] To Calendar Committee.

SR 699 - (Joint Resolution) Introduced by Gilmore
"Congratulating Luther Hartwell Hodges upon his selection as President of Rotary International, and commending him for his distinguished service to North Carolina and the nation." [As title indicates.] Passed three readings and sent to House.

SR 700 - (Joint Resolution) Introduced by Morgan
"Providing for the appointment of a commission which shall be charged with the responsibility of making recommendations to the 1969 General Assembly with regard to the improvement of the rules of civil procedure." [Creates 12-member committee composed of three members each to be appointed by each Judiciary Committee of House and Senate (Judiciary 1 and Judiciary 2 in each house) to study the new Rules of Civil Procedure, proposed by HB 401-SB 196, and to submit recommendations for improvement to 1969 General Assembly. Commission to serve until July 1, 1969;

to select its own chairman; have facilities of Legislative Building available for its work; meet as designated by chairman; and receive cooperation of General Statutes Commission. Members to be paid such per diem, subsistence and travel allowances as allowed for State boards generally, with Comm'n expenses paid out of Contingency and Emergency Fund.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

SB 695 - (McDowell) Introduced by Norton

"To authorize the Board of County Commissioners of McDowell County to appropriate from tax revenues such funds as they may deem advisable to assist financially in the support of farm soil and water conservation work." [Adds McDowell to listing of counties empowered by GS 135-9 (33-3/4) to cooperate with National Soil Conservation Service and State Soil and Water Conservation agencies and districts to promote soil and water conservation work, and to appropriate tax revenues therefor.] To Calendar Committee.

SB 701 - (Halifax) Introduced by Allsbrook

"To revise and consolidate the Charter of the City of Roanoke Rapids and to repeal prior charter acts." [As title indicates, continues City of Roanoke Rapids with general corporate powers and within present corporate boundaries, as may be revised from time to time. Provides for 5-member city council, with mayor elected from its membership and having full voting powers of any councilman; council to be nominated by filing-of-candidacy procedure and elected for two year terms, at large. Provides for organization and procedures of council, and for election procedures to be regulated generally by GS Ch. 160. Provides for appointment of city manager by council as chief administrative officer, and with authority to appoint all officers and department heads except city attorney (appointed by council), specifically provides for manager to appoint clerk, tax collector and accountant, and authorizes consolidation of two or more of their positions by manager with approval of council. Provides for custody of city funds, annual independent audit, and purchasing and property disposal procedures; extends police jurisdiction to one mile beyond corporate limits and city property wherever located; authorizes street and curb-and-gutter assessments without petition in prescribed cases (projects less than 1,200 feet, connections, widenings, and where needed to make safe for traffic); gives city lien for costs of removal of refuse, weeds and trash, and for sidewalk cleaning; prescribes procedures for claims against the city; and authorizes council to establish a schedule of fees for building, plumbing, electrical and other inspections. Repeals 34 specific acts, and provides various savings clauses.] To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 5 - Safe driver licensing. Failed to pass second reading.
SB 164 - Welfare administrative expenses. Reported unfavorably.
SB 167 - Safe tire use requirement, as amended in Senate 5/4 and 6/14. Failed to pass second reading.
SB 266 - Water ski boat mirrors. Reported favorably.
SB 269 - Cosmetic art regulation, as amended in Senate 6/15. Passed third reading.
SB 270 - Public service assessment. Amendments adopted that: (1) provide that "public service companies" shall not include political subdivisions or public agencies of State; (2) require, in determining value of operating property, that valuation be based on book value of capital stock (originally, also permitted valuation to be based on capital stock of taxpayer plus indebtedness having maturities in excess of one year); (3) delete telegraph companies from basis established for apportioning value as provided by GS 105-357(c) and adds new GS 105-357(e) providing new basis for

value apportionment for telegraph companies; (4) Extends authority of State Board of Assessment in the valuation of certain property of air carriers by authorizing adoption of any formula deemed acceptable; (5) Delete provision that as an additional penalty for failure to pay appropriate tax levies public service company liable to penalty of 50% of unpaid assessed taxes with interest thereon at 6% per annum plus reasonable attorney fees; makes public service company subject to penalties and interest as applicable to other taxpayers (GS 105-331 and GS 105-345); (6) Adds new section providing that in valuing public service company property, Board required to keep (open) record for each company reflecting methods and procedures used in obtaining valuation of properties; provides that intent of section is to require keeping of individual property records in sufficient detail to enable property owners to ascertain methods and standards by which properties are valued; (7) and makes other technical amendments. Passed second and third readings.

SB 271 - State Board of assessment. Amendments adopted to make following changes: (1) sets membership of State Board of Assessment at five members; one each to be appointed for four year term on July 1, 1967 by Governor, Lieutenant Governor, Speaker of House and one additional member to be appointed by Governor for two-year term and Director of Tax Research to serve ex officio as fifth member. Appointments on expiration of terms to be for four years and vacancies to be filled for unexpired term by holder of office making original appointment (original bill provided for members to be Commissioner of Revenue, Director of Department of Tax Research, Chairman of Public Utilities Commission, and Director of Local Government.) (2) Board to appoint own chairman (original bill, Commissioner of Revenue, chairman), and Board is empowered to appoint administrative officer of board (originally, Commissioner of Revenue). (3) Board to receive $15 per day when engaged in performance of duties plus necessary travel expenses (new). (4) Administrative officer to have among duties acting as secretary to board (new). Passed second and third readings.

SB 406 - Water safety committee, as amended in Senate 5/22. Reported favorably as to committee substitute.

SB 414 - Annexation hearing. Passed second and third readings.

SB 428 - Unused license plate refund. Passed second and third readings.

SB 468 - Young drivers suspension. Floor amendments adopted requiring suspension of license to be based only on points accumulated after July 1, 1967, and deleting provision prohibiting licensee between 18 and 21 from avoiding suspension of license by attending driver improvement clinic conducted by Dept. of Motor Vehicles. Passed second and third readings.

SB 484 - Water ski towing. Reported unfavorably.

SR 489 - (Joint Resolution) Public school study commission. Amended to provide for Comm'n of 17 members (originally, 15), 11 to be appointed by Governor (originally, 9), 4 of whom to be certified public school personnel, and to enlarge area of study to include special education programs for handicapped children. Passed second and third readings.

SR 497 - (Joint Resolution) LRC tire study. Passed second and third readings.

SB 518 - Liability ins. limits. Amendment adopted changing effective date of application of act with respect to automobile liability policies to policies issued after January 1, 1968 (originally September 1, 1967). Postponed to 6/9.

SB 521 - Small animal cruelty. Floor amendment adopted to exempt New Hanover county. Passed second reading.

SB 534 - Auto dealer amendments. Reported favorably as amended.

SB 548 - Child care licensing (3), as amended in Senate 6/9. Tabled.

SB 588 - Life ins. co. investments. Postponed indefinitely.

SB 593 - Poultry inspection. Passed second reading.

SB 603 - Ad. val. tax appraisal review. Passed second and third readings.

SR 608 - (Joint Resolution) Tax Study Commission. Postponed indefinitely.

SB 609 - Local tax refund cutoff. Passed second and third readings.
SB 616 - Pickup truck rear view mirrors. Passed second and third readings.
SB 620 - No crop dusting near towns. Amendments adopted providing that pesticide spraying by aircraft within two miles of municipality is not prohibited when State Health Director determines existence of health menace exists to justify such spraying and it is done under supervision of Agriculture Department, and act to apply only to Henderson County.
SB 631 - Art Museum Bldg. Comm'n. Floor amendment adopted providing that acquisitions by condemnation for Museum to be as prescribed in GS Article 9, Ch. 136 (condemnation by State Highway Commission) (in original, as prescribed in GS Ch. 40 eminent domain). Passed second and third readings.
SB 635 - Honorary bar members. Passed second and third readings.
SB 645 - Personnel act exemptions. Passed second and third readings.
SB 648 - Municipal ABC elections, as amended in Senate 6/15. Passed second reading.
SB 651 - Family court counsel .' powers. Passed second and third readings.
SB 652 - Small Claims defendants. Passed second and third readings.
SR 654 - (Joint Resolution) Cts. Comm. pub. defender study. Floor amendment adopted to change directive for study by Courts Comm'n from making recommendation "for the implementation" to "concerning the feasability" of establishing public defender system. Passed second and third readings.
SB 660 - Right-of-way left. Passed second and third readings.
SB 669 - Local gov. retirement changes. Passed second reading.
SB 687 - Issuing subpoena duces tecum. Reported favorably.
SB 694 - Meals for sequestered jurors. Reported favorably.
SR 700 - (Joint Resolution) Civil Procedure Rules Study. Floor amendment adopted authorizing Study Commission on Rules of Civil Procedure to appoint not more than two retired or emergency Superior Court Judges to serve as members to Commission subject to same terms and provisions as all other members Passed second and third readings.
SR 699 - (Joint Resolution) Honoring Hodges. Passed three readings.
HB 116 - Emergency police sharing (House committee substitute 4/6) as amended in House 5/7. Reported favorably.
HB 119 - Local bond absentee voting (House committee substitute 6/14), as amended in House 6/15. Received from House; sent to Elections and Election Laws.
HB 227 - Alimony and support payments. Amendment adopted making act applicable only to Person County. Passed second and third readings.
HB 320 - Unsecured bail bonds II, as amended in House 5/30. Reported favorably as amended.
HB 321 - Pay for agedcare. Postponed to 6/20.
HB 401 - Rules of Civil Procedure, as amended in House 5/31. Passed second reading
HB 409 - Certifying absentee ballots. Amendment adopted making technical correction. Passed second and third readings.
HB 537 - Phone harassment, as amended in House 5/26. Passed second and third readings.
HB 544 - Realty broker licenses. Amendment adopted providing that two members (original bill, at least two) of 5-member Real Estate Licensing Board be licensed real estate broker or salesman. Passed second and third readings.
HB 594 - Vehicle liability coverage (House committee substitute 5/17), as amended in House 5/17. Amendment adopted changing effective date of act from July 1, 1968 to January 1, 1968. Passed second and third readings.
HB 596 - Alcoholic centers costs. Passed second and third readings.
HB 604 - Epileptic drivers licensing (House committee substitute 5/23). Postponed to 6/20.
HB 609 - Interfamilial actions in State. Amendment adopted rewriting act to provide that husband and wife to have cause of action against each other to recover damages for personal injury, property damage or wrongful death arising out of acts occurring outside NC; such action may be brought in NC when both domiciled in NC at time of acts. Passed second and third readings.

HB 616 - Charitable immunity no defense. Passed second reading.
HB 618 - Domestic relations warrants. Passed second reading.
HB 691 - Car insurance, license penalty, as amended in House 5/16. Passed 2nd reading
HR 944 - (Joint Resolution) Local government study comm. (House committee substitute 6/2). Reported favorably 6/14.
HB 1011 - Open meetings, as amended in House 6/15. Received from House; sent to Judiciary 2.
HB 1086 - Local law officers authority. Received from House; sent to Calendar Committee.
HB 1145 - County courthouse-jail tax. Passed second reading.
HB 1187 - Life ins. co. investments. Passed second and third readings.
HR 1230 - (Joint Resolution) Tax Study Commission. Passed second and third readings.
HB 1246 - Welfare board appointment, as amended in House 6/14. Reported favorably.

LOCAL BILLS

SB 367 - (Johnston) Four Oaks annexation, as amended in House 6/2 and 6/13. Received for concurrence in House amendment; placed on calendar for 6/19.
SB 503 - (McDowell) Old Fort tax rate. Passed.
SB 667 - (Guilford) High Point ABC profits. Passed.

HB 222 - (Cumberland) Fayetteville beer and wine, as amended in House 3/29 and 5/4. Amendment adopted to amend SL 1957, Ch. 1455, Sec. 8, to prohibit sale of beer and wine within three miles of center of Methodist College measured from campus bell tower. Excepts from amended Sec. 8 provisions, areas within Fayetteville as of Jan. 1, 1967 and prohibits any other agency from permitting sale of any alcoholic beverage within 3-mile college area. (Original bill as finally amended in House, prohibited sale for on-premise consumption within 2-mile radius of tower or on Raleigh Road from city limits to beyond college, except in parts of city and private clubs. This Senate amendment is identical to initial House amendment. Passed.
HB 237 - (Davidson) School board election, (House committee substitute 6/14). Received from House; sent to Calendar Committee.
HB 332 - (Avery) Crossnore Charter revision. Passed third reading.
HB 491 - (Alexander)School board election, as amended in House 6/2. Reported unfavorably.
HB 600 - (Johnston) Tax foreclosure costs. Passed third reading.
HB 737 - (Buncombe) Montreat incorporation. Passed third reading.
HB 769 - (Gaston) Restricting brown bag permits. (House committee substitute 5/10). Passed third reading.
HB 779 - (Beaufort) Drainage districts. Received from House; sent to Calendar Committee.
HB 798 - (Cumberland) Fayetteville charter changes. Passed third reading.
HB 810 - (Alamance) School board election. Reported unfavorably.
HB 833 - (Richmond) Hamlet ABC profits. Received from House; sent to Calendar Committee.
HB 1013 - (Halifax) Commissioners tenure election. Passed.
HB 1139 - (Rockingham) One big city, as amended in House 6/13. Received from House; sent to Calendar Committee.
HB 1151 - (Mecklenburg) Charlotte recorder arrest cost. Passed.
HB 1170 - (Currituck) Incorporating Bell's Island. Passed third reading.
HB 1236 - (Carteret) School board appointment. Received from House; sent to Calendar Committee.
HB 1264 - (Alexander, Burke, Caldwell) Home tax rule. Received from House; sent to Calendar Committee.
HB 1266 - (Brunswick) Officials' salaries, as amended in House 6/15. Received from House; sent to Calendar Committee.

HB 1280 - (Halifax) Enfield charter revision. Received from House; sent to Calendar Committee.

HB 1286 - (Northampton) Tax collector duties. Received from House; sent to Calendar Committee.

HB 1290 - (Macon) Nat. Forest funds use. Received from House; sent to Calendar Committee.

HB 1298 - (Hertford) Sheriff-weapons permits. Received from House; sent to Calendar Committee.

HB 1322 - (Yadkin) Jonesville-Arlington merger. Received from House; sent to Calendar Committee.

Next sessions of Senate: 9:00 a.m., Saturday, June 17, 1967, for consideration of local bills only.
8:00 p.m., Monday, June 19, 1967.

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BULLETIN NO. 93
Friday, June 16, 1967

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1372 - Introduced by Edwards and others

"Relating to the joint establishment and operation of parks, play grounds, and recreation centers." [Adds to GS 160-164 (joint local recreational facilities) following provisions: Participating cities and counties may establish commission composed of such members as creators determine, including, if desired, members of creators whose service is to be additional duty of their position, members to serve at pleasure of appointer and without compensation. Commission shall elect its officers. Commission may sue and be sued; make rules governing procedure and execution of duties; exercise powers granted by creators, which may include powers that one of participators acting alone would have relating to control and management, of parks, playgrounds, and other recreational facilities and activities; employ compensate, assign, and discharge employees as seen fit, subject to approval of creators; fix rates and charges for any facility or program, subject to approval of creators; make published regulations governing operation and use, subject to approval of creators; enter into contracts of lease, license, concession, and others for operation and maintenance of facilities, subject to approval of creators; collect revenues derived from operation of such facilities and receive donations and like revenues for use in its program; expend revenues or funds received by appropriation from participating governments, or from operating revenues and donations, with entire budget to be approved by participators. Financial records of Commission to be subject to supervision of county or city accountant or officer or agent designated by participants, with reports made as required by participants. Treasurer shall give performance bond payable to and as fixed by Commission. Act not to interfere with establishment of any recreational facilities or operation of programs by creators acting alone, and to supplement and not restrict all other laws.] To Calendar Committee.

HB 1373 - Introduced by Ervin

"Relating to public drunkenness, the defense of chronic alcoholism and the treatment of chronic alcoholics." [Rewrites GS 14-335 to provide punishment of fine not exceeding $50 or imprisonment not exceeding 20 days or commitment to Prison Director for 30 days to six months for public drunkenness or intoxication. Latter commitment to be to place within State prison system designated by Director or his agent. Release therefrom may be ordered any time during such commitment, under conditions, for care and treatment by hospital, out-patient clinic, or other facility or program outside prison system, such release revocable by Director or agent during period of such commitment(not exceeding six months). Revocation order is authority for arrest without warrant and return to prison system. Minimum 30-day term may include conditional release period and after that minimum period, person may be discharged. Chronic alcoholism (defined as described below) is affirmative defense to charge; and acquittal on that ground to permit court to institute treatment procedures as outlined below. (GS 14-335 now simply makes public drunkenness a misdemeanor punishable by various combinations of fines and imprisonment in counties to which it applies.) Adds new Art. 7A to GS Ch. 122 entitled "Chronic Alcoholics" and providing as follows: Defines terms, including "Chronic alcoholism' as chronic and habitual use of alcoholic beverages by person to extent that he loses power of self-control with respect to use of such beverages. Provides that court may retain jurisdiction over person acquitted of public drunkenness by defense of chronic alcoholism in order to take authorized treatment action or to order return to court of person for such action, with jurisdiction to remain in effect for time appropriate

for treatment, not to exceed two years, during which person may be ordered returned to court for other action if initial action is not complied with or responded to. If at time of any such appearance before court, judge finds person dangerous to himself or others he may be detained for not over five days in home, hospital, or other suitable facility approved by local health director and then returned to court for further action. Actions permitted to be taken by court are: (1) order for CSC to commence judicial hospitilization procedures of Ch. 122, Art. 7, with order to replace affidavit and request for examination there required; (2) direct alcoholic, in cooperation with another, to make and follow plans for private, approved treatment; (3) refer him to private psychiatrist, physician, social or welfare organization, or to a hospital diagnostic center; (4) request local welfare board or appropriate agency or official to work with him and make requested reports on his condition to court; or (5) make or approve other appropriate treatment arrangements and require periodic reports on same. Provisions of article to be supplementary to other provisions of chapter. Repeals GS 18-51(6)(b) as rewritten by SL 1967, Ch. 222 (prohibiting public intoxication). Repeals all local laws on public drunkenness.] To Judiciary 1.

HB 1374 - Introduced by Taylor of Carteret and Jernigan

"To amend Chapter 343 of the Session Laws of 1967." [Amends GS 130-3 (definitions used in GS Chap. 130, public health) as amended by SL 1967, Ch. 343, to provide that definition of "ambulance" excludes vehicles operated by Rescue Squads chartered by State as non profit corporations or authorized by GS 160-191.11 (authorizing incorporated towns to expend funds for rescue squads). Amends GS 130-230(e) (franchises for operation of ambulances) to permit unfranchised operation of rescue squad ambulance. Amends GS 153-9(58) (relating to powers of county boards of commissioners in regard to ambulance services. Subsection enacted by SL 1967, Ch. 343) to provide that nothing therein shall empower county boards to regulate or prohibit operation of rescue squads chartered as non-profit corporations by State or authorized by GS 160-191.11.] To Calendar Committee.

HB 1375 - Introduced by Strickland

"To amend GS 105-296,so as to exempt water and sewerage districts from taxation." [Includes real property owned by "water and sewerage districts" as exempt from ad valorem taxation under cited section.] To Finance.

HB 1376 - Introduced by Hamrick, Bailey, Ingle, Jemison and McKnight

"To protect the retirement benefits of employees of Forsyth County and municipalities therein who will become State employees upon the effective date of the Judicial Department Act in such county." [Authorizes Board of Trustees of NC Teachers' and State Employees' Retirement System to take action necessary to insure that employees indicated in title (who become State employees on first Monday in Dec., 1968 under cited act) do not lose retirement benefits as a result. Empowers officials of State system and of county to enter agreements relating to retirement status of such employees.] To Calendar Committee.

HB 1377 - Introduced by Roberson and Burrus

"To amend G.S. 20-38 pertaining to specially constructed vehicles." [Brings "vehicles on which is permanently mounted a harvester or gondola type body although vehicle is used for hauling potatoes from field to grader" within definition of special mobile equipment in cited section. Amends GS 20-87(10) (annual license tax on special mobile equipment) to provide that such tax be $3 on vehicles described above when "used only for transporting potatoes from field to grader and return to farm."] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

None

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 175 - Drilling and boring records, as amended in Senate 5/25. Postponed to 6/21.
SB 194 - Extending embezzlement. Passed second and third readings.
SB 209 - Hospital facility leasing. Passed second and third readings.
SB 254 - Employee political activity, as amended in Senate 5/25. Passed second and third readings.
SB 260 - Washington statue. Passed second reading.
SB 267 - Diver's flag. Postponed to 6/20.
SB 307 - Anti-litter act, as amended in Senate 6/2. Floor amendments adopted (1) deleting provision making each day of deposit or remaining of litter a separate offense, (2) making unlawful the knowing allowance of throwing, dropping, or scattering of litter in manner prohibited, and (3) deleting ashes as within definition of litter. Tabled.
SB 386 - ABC tax prohibition, as amended in Senate 5/25. Reported favorably.
SB 388 - Plates of uninsured revocation. Passed second and third readings.
SB 398 - Lloyds insurance associations. Passed second reading.
SB 405 - Welfare Department adoption, as amended in Senate 5/16. Postponed to 6/19.
SB 410 - Counsel fees insurance suits, as amended in Senate 5/31. Postponed to 6/19.
SB 412 - Hospital patient statement, (Senate committee substitute 6/6). Postponed to 6/19.
SB 425 - Administrative procedures, as amended in Senate 6/7. Postponed to 6/19.
SB 426 - Consolidated UNC Trustees (2), (Senate committee substitute 6/5). Postponed to 6/20.
SB 440 - Unclaimed clothing changes. Postponed to 6/19.
SB 441 - Redevelopment changes, as amended in Senate 6/7. Postponed to 6/20.
SR 451 - (Joint Resolution) Barring insurer's advertising. Passed second and third reading.
SB 471 - Register's corporate filing. Passed second and third readings.
SB 475 - Insurance service charge. Passed second and third readings.
SB 476 - Minor's auto insurance, as amended in Senate 6/2. Postponed to 6/20.
SB 477 - Cancelled insurance premiums. Passed second and third readings.
SB 509 - Phase out mayor's court. Passed second and third readings.
SR 512 - (Joint Resolution) Pilot Mountain State Park. Passed second and third readings.
SB 556 - Butner hospital site cession. Passed second and third readings.
SB 581 - State Stadium Authority. Received from Senate; sent to Calendar Committee.
SB 617 - Coastal fisheries self-assessment, as amended in Senate 6/9. Passed second reading.
SB 699 - (Joint Resolution) Honoring Hodges. Received from Senate; passed second and third readings.

HB 80 - Retirement benefits exemption. Reported favorably as amended.
HB 233 - Counting absentee votes. Amendment adopted placing provision in appropriate section of recodification of election law, HB 146 (§ 163-235). Failed to pass second reading.
HB 310 - State trademarks. Reported favorably.
HB 356 - Water-air resources board, (House committee substitute 5/16), as amended in Senate 6/9, and 6/14. Concurred in Senate amendments.
HB 465 - 7% interest rate, (House committee substitute 5/1), as amended in Senate 6/5 and 6/14. Received for concurrence in Senate amendment; put on calendar for 6/20.
HB 749 - Boat sales tax. Reported favorably.
HB 891 - Parking light use restriction. Tabled.
HB 1022 - Corporate franchise tax change. Reported unfavorably.
HB 1035 - Highway-beautification beer tax. Reported unfavorably.

HB 1048 - Big game animals. Amendment adopted applying act to only "native North American species" of deer and bear (adds quoted words). Passed second and third readings.
HB 1071 - Uniform member benefits. Passed second and third readings.
HB 1079 - Inland water boat pollution. Passed second and third readings.
HB 1080 - 50% inventory tax credit. Reported unfavorably.
HB 1092 - Firelighting deer evidence. Passed second and third readings.
HB 1167 - Mutual deposit guaranty ass'ns. Passed second and third readings.
HB 1171 - Warehouse interstate property. Reported favorably.
HB 1197 - Publications to ECC. Reported favorably.
HB 1232 - Union bus station services. Re-referred to Public Utilities.
HB 1324 - Amending HB 646. Reported favorably.
HB 1325 - Local health departments. Reported favorably.

LOCAL BILLS

SB 351 - (Montgomery) Mineral claims. Amended to apply to Buncombe, Cleveland, Guilford, Hoke, Polk, Rutherford, Swain, Vance, Wake, and Warren.
SB 371 - (Beaufort, Cabarrus, Forsyth, Gaston, Guilford, Johnston, Wake, Union) Animal abandonment (Senate committee substitute 6/2). Amendment adopted deleting Forsyth from list of counties affected. Passed.
SB 615 - (Edgecombe) County officials salaries. Passed.
SB 619 - (Gaston) Gastonia ABC elections. Passed.
SB 625 - (Alamance) Officials pay. Passed.
SB 644 - (Union) Monroe contracts. Received from Senate; sent to Judiciary 2.
SB 650 - (Edgecombe) Speed clerk. Received from Senate; sent to Calendar Committee.
SB 672 - (Cherokee) Voter assistance, as amended in Senate 6/15. Received from Senate; sent to Calendar Committee.

HB 1243 - (Wake) Raleigh noncontiguous annex, as amended in House 6/14. Passed third reading.
HB 1255 - (Vance) Jurors fees. Passed.
HB 1287 - (Hertford) Como incorporation. Passed third reading.
HB 1291 - (Cumberland) Auditorium tax, as amended in House 6/14. Passed third reading.

BILLS RATIFIED

SB 257 - (Jackson) Commissioners compensation (Senate committee substitute 6/6). [Ch. 801]
SB 423 - (Craven) School board compensation. [Ch. 802]
SB 500 - (Durham) Redefining corporate limits. [Ch. 803]
SB 577 - (Polk) Tryon school vacancy. [Ch. 804]
HB 626 - (Forsyth) Winston-Salem purchasing. [Ch. 805]
HB 727 - (Columbus) Whiteville charter revision, as amended in Senate 5/18 and 6/8. [Ch. 806]
HB 980 - Regulating pharmacists, as amended in Senate 6/14. [Ch. 807]
HB 1106 - (Beaufort) Washington election changes, as amended in House 6/7. [Ch. 808]
HB 1208 - (Ashe) School board conveyance. [Ch. 809]
HB 1212 - (Macon) Highlands land sale. [Ch. 810]
HB 1213 - (Sampson) Clinton single shot voting. [Ch. 811]
HB 1219 - (Lenoir) La Grange retirement. [Ch. 812]
HB 1228 - (Guilford) High Pt. personnel probation. [Ch. 813]
HB 1229 - (Cumberland) Sheriff to dogs. [Ch. 814]
HB 1235 - (Durham, Mecklenburg) Charlotte redevelopment bids, as amended in House 6/7. [Ch. 815]
HB 1237 - (Orange) Carrboro tax liens in C-H. [Ch. 816]
HB 1247 - (Northampton) Garysburg governing body. [Ch. 817]
HB 1252 - (Avery) School board land conveyance. [Ch. 818]
HR 1368 - (Joint Resolution) Honoring Society of Friends. [R 64]

Next session of House: 9:00 a.m., Saturday, June 17, 1967, for consideration of local bills only.
7:00 p.m., Monday, June 19, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 94

Monday, June 19, 1967

Note: The Senate convened at 9:00 a.m., Saturday, June 17, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate -- 7:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 703 - Introduced by Moore

"To amend G.S. 103-2 relating to the prohibition of hunting on Sunday, so as to make said act inapplicable to military reservations." [Identical with HB 1378, digested in the House section of today's bulletin.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- SENATE

SB 702 - (Edgecombe) Introduced by Bridgers

"To provide for an election to be held in the Town of Tarboro in Edgecombe County to determine whether certain sections of the Charter of the Town of Tarboro shall be amended insofar as they pertain to the form of government and to the number and election of the members of the Town Council and the election of the Mayor of the Town of Tarboro." [(1) Modifies GS provisions concerning optional forms of city government, as to Tarboro, to eliminate requirement of petition filed with county board of elections for holding of optional plan election, and to provide for calling of such election within five days after request filed with election board by Tarboro Town Council, if filed pre-Jan. 1, 1969; specifies notice requirements and form of ballot for such election. (2) Amends Tarboro Charter (SL 1967, Ch. 531 - SB 349) to provide for council-manager form of government, with 7 councilmen elected at large and mayor selected from council, if approved by voters, as follows: Repeals provisions for ward boundaries. Provides for town council of 7 members (now 8) elected at large rather than by wards, with mayor elected by council from its own members (now elected by voters) and having full voting power (now casting vote only). Makes conforming changes in provisions relating to vacancies, organization of council, and minimum votes for council actions. Requires each voter to vote for 7 candidates for council, and makes single shot voting prohibition applicable. (3) Provides that if above amendments are approved by voters, present town officers to continue in office until 1969 election.] Passed three readings and sent to House.

SB 704 - (Mitchell) Introduced by Dent

"Authorizing the increase in compensation of the Mayor and the Board of Aldermen of Bakersville, Mitchell County." [As title indicates; authorizes Board of Aldermen of Bakersville to increase their compensation to not more than $15 per month and compensation received by mayor to not more than $45 per month.] To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 266 - Water ski boat mirrors. Floor amendment adopted adding provision that sections of act pertaining to rear view mirrors not to apply to boats powered by motors of 15 hp or less. Passed second and third readings.

SB 270 - Public service assessment, as amended in Senate 6/16. Passed third reading.

SB 406 - Water Safety Committee, as amended in Senate 5/22 (Senate committee substitute 6/16). Committee substitute adopted 6/16 which makes following changes in original bill: (1) Limits Water Safety Committee membership to 21 members (originally 25 to 50). (2) Eliminates provision for representative from State Streat Sanitation Committee to serve on Water Safety Committee. Provides for three (originally two) appointees of Governor to serve on Executive Committee. (3) Eliminates provisions of original bill relating to local water and shoreline authorities. (4) Provides for local water safety committees to consist of not less than five members (originally 15 - 35). (5) Requires NC Water Safety Committee, before applying to Wildlife Resources Commission for special regulations on local matters to inform affected local governing boards at least 60 days in advance. (6) Specifies that special regulations adopted under Act are to supersede conflicting local regulations, as defined, relating to boating, water safety and other recreational uses; except as authorized in Act no local regulations to be made concerning Uniform Waterway Marking System or supplemental boat safety equipment regulations. (7) Eliminates repealers carried in original bill of local acts affecting Catawba River, Lake James, Lake Norman, and Person-Caswell Lake Authority. Floor amendment adopted eliminating from subjects as to which Wildlife Resources Comm'n upon petition is authorized to adopt local regulations, the zoning and restriction of waters for recreational uses to promote safety and achieve maximum recreational enjoyment. Passed second and third readings.

SB 518 - Liability ins. limits, as amended in Senate 6/16. Floor amendment adopted providing that increased limits of uninsured motorist coverage available only if liability insurance carried by insured is of equal or greater amount for protection of third persons. Passed second and third readings.

SB 521 - Small animal cruelty, as amended in Senate 6/16. Floor amendment adopted making act inapplicable to Onslow, Henderson, Duplin, Sampson and Pender Counties. Passed third reading.

SB 525 - Engineer surveyor changes, as amended in Senate 6/15. Postponed to 6/20.

SB 593 - Poultry inspection. Passed third reading.

SB 648 - Municipal ABC elections, as amended in Senate 6/15. Floor amendment adopted adding provisions that any municipality which is county seat of any county not to be restricted from calling an election under population provisions in act and that any municipality having established alcoholic beverage control system to be exempted from act.

SB 669 - Local gov. retirement changes. Passed third reading.

SB 679 - County land fill bonds. Passed second reading.

HB 116 - Emergency police sharing (House committee substitute 4/6), as amended in House 4/7. Passed second and third readings.

HB 214 - Joint tortfeasor contributions, as amended in House 4/12 and in Senate 6/9. Floor amendments adopted making technical and clarifying changes and providing that if there is a judgment for injury or wrongful death against tortfeasor seeking contribution, any separate action by him to enforce contribution must be commenced within one year after judgment has become final (originally, six months), and deleting provisions that third-party defendant may assert against plaintiff any defenses which third-party plaintiff has to plaintiff's claim; that third-party defendant may assert any claim

against plaintiff arising out of transaction or occurrence that is subject matter of plaintiff's claim against third-party plaintiff; and that plaintiff may assert any claim against third-party defendant arising out of transaction or occurrence that is subject matter of plaintiff's claim against third party-plaintiff. Floor amendment adopted making provisions of act inapplicable to litigation pending on effective date of act (Jan. 1, 1968).

HB 320 - Unsecured bail bonds II, as amended in House 5/30. Postponed to 6/20.
HB 401 - Rules of Civil Procedure, as amended in House 5/31. Passed third reading.
HB 456 - Education Assistance changes. Postponed to 6/20.
HB 616 - Charitable immunity no defense. Passed third reading.
HB 691 - Car insurance, license penalty, as amended in House 5/16. Passed 3rd reading.
HB 717 - Pistol hunting rabbit, squirrel. Amendments adopted making act applicable to Mitchell and Transylvania Counties (floor amendment) and specifying that pistols be of a muzzle velocity of not under 1100 feet per second and bullet weight of not less than 35 grains or more than 70 grains. Passed 2nd & 3rd readings.
HB 753 - MD cancer report immunity. Amendment adopted redesignating GS 130-187 as GS 130-184.2. Passed 2nd & 3rd readings.
HB 796 - Public contracts revision, as amended in House 5/17 and 5/18. Passed second and third readings.
HB 907 - After acquired title, as amended in Senate 5/26. Passed second and third readings.
HB 908 - Liens on personal property, as amended in House 5/24. Passed second reading.
HB 926 - Realty license revocation. Postponed to 6/20.
HB 931 - Livestock markets revision, as amended in House 5/26. Technical amendments adopted. Passed second and third readings.
HR 944 - (Joint Resolution) Local government study comm. (House committee substitute 6/2). Postponed to 6/20.
HB 955 - Auto manufacturers certificates. Passed second and third readings.
HB 956 - MV judicial sale notice. Passed second and third readings.
HB 959 - Joint stock ownership (House committee substitute 6/8). Passed second and third readings.
HB 967 - Cherokee amusement tax exempt. Passed second and third readings.
HB 993 - Dam safety certification, as amended in House 6/9. Postponed to 6/21.
HB 996 - Water use information (House committee substitute 6/8). Postponed to 6/21.
HB 997 - Flood plain management. Postponed to 6/21.
HB 998 - Local water storage assurance. Postponed to 6/21.
HB 1016 - Dying declarations, as amended in House 6/2. Passed second reading.
HB 1033 - Proof of insurance repeals. Passed second and third readings.
HB 1041 - Auto license denial and hearing. Postponed.
HB 1048 - Big game animals, as amended in House 6/16. Received from House; sent to Calendar Committee.
HB 1071 - Uniform member benefits. Received from House; sent to Appropriations.
HB 1079 - Inland water boat pollution. Received from House; sent to Calendar Com.
HB 1084 - Beer-wine sales to wholesalers. Passed second and third readings.
HR 1085 - (Joint Resolution) Library Study Comm. Reported favorably.
HB 1086 - Local law officers authority. Passed second and third readings.
HB 1092 - Firelighting deer evidence, as amended in House 5/30. Received from House; sent to Calendar Committee.
HB 1102 - Preliminary hearing fees. Passed second and third readings.
HB 1103 - Indigent juvenile counsel, as amended in House 6/9. Passed second and third readings.
HB 1104 - Exempting firemen's funds. Passed second and third readings.

HB 1108 - Garbage redefined. Passed second and third readings.
HB 1111 - State highway claims. Passed second and third readings.
HR 1113 - (Joint Resolution) Aging ad. val. tax exempt study. Passed second and third readings.
HB 1137 - Oyster, clam leases. Passed second and third readings.
HB 1140 - School bus transport. Postponed to 6/20.
HB 1142 - Natural seed oyster areas, as amended in House 6/12. Passed second and third readings.
HB 1145 - County-courthouse jail tax. Passed third reading.
HB 1152 - Adoption of adults, as amended in House 6/12. Passed second and third readings.
HB 1154 - Insurance fraud penalty. Postponed to 6/21.
HB 1167 - Mutual deposit guaranty ass'ns. Received from House; sent to Insurance.
HB 1246 - Welfare board appointment, as amended in House 6/14. Passed second readin

LOCAL BILLS

SB 371 - (Beaufort, Cabarrus, Forsyth, Gaston, Guilford, Johnston, Union, Wake) Animal abandonment (Senate committee substitute 6/2), as amended in House 6/16. Received for concurrence in House amendment; concurred.
SB 658 - (Transylvania) School board election. Passed.
SB 677 - (Person) Roxboro land sale. Passed.
SB 702 - (Edgecombe) Tarboro council referendum. Passed.

HB 388 - (Yadkin) Board education appointment. Passed.
HB 389 - (Wilkes) Board of education. Passed.
HB 1125 - (Wilson) Elm City school board vote, as amended in House 6/8. Passed.
HB 1134 - (Buncombe) School tax election, as amended in House 5/29. Passed third reading.
HB 1211 - (Mecklenburg) School board vacancies. Passed.
HB 1243 - (Wake) Raleigh noncontiguous annex, as amended in House 6/14. Received from House; sent to Calendar Committee.
HB 1251 - (Moore) School board election, as amended in House 6/8. Amendment adopted making technical changes. Passed.
HB 1255 - (Vance) Jurors fees. Received from House; sent to Calendar Committee.
HB 1256 - (Vance) Sheriff's fee. Passed.
HB 1287 - (Hertford) Como incorporation. Received from House; sent to Calendar Committee.
HB 1291 - (Cumberland) Auditorium tax, as amended in House 6/14. Received from House; sent to Calendar Committee.
HB 1293 - (Pender) Surf City, Topsail surfing. Passed.
HB 1303 - (Halifax) County comm'rs compensation. Passed.
HB 1323 - (Edgecombe) Jail fees. Passed.

Next session of Senate: 12 noon, Tuesday, June 20, 1967.

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BULLETIN NO. 94
Monday, June 19, 1967

Note: The House convened at 9:00 a.m., Saturday, June 17, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 7:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1378 - Introduced by High
"To amend G.S. 103-2 relating to the prohibition of hunting on Sunday, so as to make said act inapplicable to military reservations. [As title indicates, removes military reservations wholly in jurisdiction of federal government from Sunday hunting prohibition of cited section. Identical with SB 703.] Sent to Cal. Com

HB 1380 - Introduced by McMichael
"To exempt wines from the additional sum per bottle as required by GS 18-39(3)." [Adds provision to cited section prohibiting additional sum per bottle of alcoholic beverages required by section (5¢) from being added to established retail price of any wines sold in county and municipal liquor stores.] To Finance.

HB 1382 - Introduced by Bumgardner
"Relating to funeral and burial trust funds." [(1) Declares all payments on contracts (other than burial insurance policies regulated under GS Ch. 58, Art. 24) for funeral services and related matters to be trust funds, which must be deposited in a bank or trust company authorized to do business in NC ("financial institution") and in name of recipient ("trustee"), with interest to become part of principal; denominates such contracts as "pre-need burial contracts"; funds not to be paid out by financial institution until receipt of certified statement of performance of agreement, and any balance in fund goes to beneficiary's estate. Allows payor to demand refund of principal and interest on 15 days' notice. Requires trustee to furnish financial institution with name of each payor and amounts paid on each account. (2) Requires license from State Banking Department for accepting and/or holding payments on pre-need burial contracts by any person other than a financial institution; spells out application and record-keeping requirements, and requires $25 license fee; sellers of pre-need contracts to collect $2 service charge from each purchaser and remit to Dep't to help finance administration of Act. Authorizes Dep't to investigate books and records of licensees, subpoena witnesses, require audits, conduct violation hearings, and adopt implementing regulations. (3) Makes violations subject to $500-$1,000 fine and/or 10 days'-6 months' imprisonment. Effective July 1, 1967.] To Calendar Committee.

HB 1383 - Introduced by Johnson of Duplin and Mills of Anson
"To provide for the licensing of osteopathic physicians to practice osteopathic medicine." [Rewrites GS 90-129 to redefine osteopathy as being the science of healing and providing care and treatment for human conditions, diseases and injuries by all diagnostic and theraputic means including the use of drugs and surgery (now, definition restricted to healing without use of drugs, as taught by NC Osteopathic Society recognized colleges); provides for two classes of licenses to practice osteopathy: (1) unlimited to conform to above definition, and (2) limited which prohibits use of drugs in practice. Amends GS 90-130 to specify that in filling of annual vacancy on State Board of Osteopathic Examination and Registration, Governor shall appoint osteopathic physician (now, "person"). Amends GS 90-131 to provide as additional requirements for persons applying for unlimited license (created above) to practice osteopathy that they be examined by Board in: anatomy, embryology, histology, physiology, pathology, bacteriology, surgery, pediatrics, medical hygiene, chemistry, pharmacy, materia medica, theraputics, ostetrics, gynecology and practice of osteopathic medicine. Amends GS 90-133 to provide that members of Osteopathic Board be reimbursed for actual travel and subsistence expenses (now, "railroad and hotel expenses"). Effective July 1, 1967.] To Calendar Committee.

HB 1384 - Introduced by Collins and others

"To establish the Legislative Highway Safety Study Commission." [Creates Highway Safety Study Commission for two-year period to be composed of seven members of General Assembly with five members to be appointed from House by Speaker of House and two from Senate by President of Senate. Provides that commission elect own chairman and to study causes of traffic accidents and methods which might be utilized in reducing accidents and generally improving highway safety and report its findings and recommendations to 1969 General Assembly; members to be paid same subsistence and travel allowance as other State boards; comm'n expenditures not to exceed in aggregate $10,000 per year for biennium, allotted by Governor and Council of State from Contingency and Emergency Fund. Sets out powers of Commission including power to issue subpoenas and to institute such actions in Superior Court in county in which subpoened witnesses reside. Provides for all State agencies dealing with motor vehicles and highway safety, including agencies which are members of NC Traffic Safety Authority and including NC Highway Safety Research Center, to cooperate with and assist Commission at its request. Effective July 1, 1967.] To Calendar Committee

HB 1385 - Introduced by Twiggs and others

"To amend various provisions of the Workmen's Compensation Act." [Amends GS 97-2(5) (Average Weekly Wages) to provide that in case of injury or death (now, just injury) to a volunteer fireman or member of an organized rescue squad (now, just volunteer fireman) under compensable circumstances, compensation payable to be calculated upon average weekly wage volunteer fireman or member of an organized rescue squad (now, just volunteer fireman) was earning in employment wherein he earned his principal livelihood as of date of injury. Amends GS 97-18(e) (installments) by deleting initial reference to "without an award" as it pertains to any installment of compensation payable in accordance with terms of an agreement approved by Commission. Amends GS 97-36 to provide that where an accident occurs while employee is employed out of State which would entitle him or his dependents or next of kin (now, just dependents) to compensation if it had happened in NC, employee or dependents to be entitled to compensation if contract made in State and employer's place of business in State. Amends GS 97-44 (lump sums) by deleting necessity that "parties agree" that weekly payments be redeemed in whole or in part by payment by employer of lump sum to be fixed by Commission.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1379 - (Northampton) Introduced by Jernigan and Burden, by request

"To fix the compensation of the members of the Board of Education of Northampton County." [Provides that chairman of county board of education to receive $25 per day (now, $20 per SL 1963, Ch. 962) and other members of board receive $20 per day (now, $15) for each day they are engaged in county business, in addition to mileage at rate now fixed by law for board members.] To Calendar Committee.

HB 1381 - (Forsyth) Introduced by Bailey, Hamrick, Ingle, Jemison and McKnight

"Authorizing the creation of the Winston-Salem Transit Authority." [Authorizes City of Winston-Salem to create, by ordinance, Winston-Salem Transit Authority as a corporate body whose purpose is to provide safe, adequate and convenient public transportation for the city and its immediate environs through granting of franchises, and ownership and leasing of terminals, buses and other transportation facilities and equipment. Authority to consist of three, five or seven resident members, as Winston-Salem Board of Aldermen determine, to serve staggered three-year terms; authority to have general corporate powers plus delegated powers, to issue certificates of public convenience and necessity; to grant franchises and enter into franchise agreements and in all respects regulate operation of buses, taxicabs and other methods of public passenger transportation with territorial jurisdiction of Authority as fully as Winston-Salem is empowered to do within its territorial jurisdiction; and to contract to operate public transportation services or for operation of such services. Act not to effect power or authority of NC Utilities Comm'n or

right of appeal thereto. Authority to have jurisdiction extending to all local public passenger transportation within Winston-Salem and three miles outside city limits, as now or hereafter established, but Authority not to have jurisdiction over public transportation subject to ICC jurisdiction, nor over intra-state public transportation whose passenger operation consists of picking up or discharging passengers whose point of origin or destination is over three miles outside Winston-Salem. Authority fiscally accountable to Winston-Salem and city to have authority to examine all Authority records accounts at any time. Authority establishment and operation stated to be governmental function and public purpose for which city authorized to appropriate funds; city empowered to call special election on question of special tax levy to support Authority when aldermen determine funds otherwise available are insufficient. Existing transportation franchises of city to continue until terminated; city ordinances and resolutions regulating buses and taxicabs to continue until superceded by regulations of Authority. In event Authority terminated all property and assets revert to city; city succeeds to all rights, obligations and liabilities of Authority. To Calendar Committee.

HCUSE CALENDAR ACTION

PUBLIC BILLS

SB 260 - Washington statue. Failed to pass third reading. Motion to reconsider vote by which failed to pass third reading, tabled.
SB 269 - Cosmetic art regulation, as amended in Senate 6/15. Received from Senate; sent to Calendar Committee.
SB 271 - State Board of Assessment, as amended in Senate 6/16. Received from Senate; sent to Finance.
SB 398 - Lloyds insurance associations. Passed third reading.
SB 414 - Annexation hearing. Received from Senate; sent to Judiciary 1.
SB 428 - Unused license plate refund. Received from Senate; sent to Calendar Committee.
SB 468 - Young drivers suspension, as amended in Senate 6/16. Received from Senate; sent to Calendar Committee.
SR 489 - (Joint Resolution) Public School Study Commission, as amended in Senate 6/16. Received from Senate; sent to Calendar Committee.
SR 497 - (Joint Resolution) LRC Tire Study. Received from Senate; sent to Calendar Committee.
SB 603 - Ad val. tax appraisal review. Received from House; sent to Celandar Committee.
SB 609 - Local tax refund cutoff. Received from Senate; sent to Finance.
SB 616 - Pickup truck rear view mirrors. Received from Senate; sent to Calendar Committee.
SB 617 - Coastal fisheries self-assessment, as amended in Senate 6/9. Passed third reading.
SB 645 - Personnel Act exemptions. Received from Senate; sent to Calendar Committee
SB 651 - Family court counsellor powers. Received from Senate; sent to Judiciary 2.
SB 652 - Small claims defendants. Received from Senate; sent to Judiciary 2.
SR 654 - (Joint Resolution) Cts. Comm. Pub. Defender Study, as amended in Senate 6/16. Received from Senate; sent to Judiciary 2.
SB 660 - Right-of-way left. Received from Senate; sent to Calendar Committee.
SB 669 - Local gov. retirements changes. Received from Senate; sent to Calendar Committee.
SB 631 - Art Museum Bldg. Comm'n, as amended in Senate 6/16. Received from Senate; sent to Calendar Committee.
SB 635 - Honorary bar members. Received from Senate; sent to Judiciary 2.
SR 700 - (Joint Resolution) Civil Procedure Rules Study, as amended in Senate 6/16. Received from Senate; sent to Judiciary 2.

HB 80 - Retirement benefits exemption. Amendment adopted to exclude from gross income subject to State income tax any amount not to exceed $1,200 (original bill, any amounts) received druing any year under federal employee retirement program. Passed second and third readings.

HB 310 - State trademarks. Floor amendments adopted making following changes in original bill: (1) Sets minimum period for expiration of any registration in force on date act becomes effective at two years therefrom (original act, one year). (2) Deletes provisions for fine or imprisonment for use of private marks or labels to defraud or for selling goods with forged marks or labels. (3) Sets effective date of act as January 1, 1969 (original bill, January 1, 1968). (4) Makes technical and clarifying changes and corrections of typographical errors. Passed second and third readings.

HB 409 - Certifying absentee ballots, as amended in Senate 6/16. Received for concurrence in Senate amendment; concurred.

HB 544 - Realty broker licenses, as amended in Senate 6/16. Received for concurrence in Senate amendment; concurred. Return requested by Senate; refused.

HB 594 - Vehicle liability coverage, (House committee substitute 5/17), as amended in House 5/17 and in Senate 6/16. Received for concurrence in Senate amendment; concurred.

HB 609 - Interfamilial actions in State, as amended in Senate 6/16. Received for concurrence in Senate amendment; concurred.

HB 749 - Boat sales tax. Passed second reading.

HB 1022 - Corporate franchise tax change. Reported favorably 6/16. Failed to pass second reading.

HB 1171 - Warehouse interstate property. Passed second reading.

HB 1277 - Coastal fisheries self-assessment, as amended in House 6/15. Postponed indefinitely.

LOCAL BILLS

SB 503 - (McDowell) Old Fort tax rate. Received from Senate; sent to Calendar Committee.

SB 620 - (Henderson) No crop dusting near towns, as amended in Senate 6/16. Received from Senate; sent to Calendar Committee.

SB 667 - (Guilford) High Point ABC profits. Received from Senate; sent to Calendar Committee.

SB 702 - (Edgecombe) Tarboro council referendum. Received from Senate; passed.

HB 222 - (Cumberland) Fayetteville beer and wine, as amended in House 3/29 and in Senate. Received for concurrence in Senate amendment; failed to concur.

HB 1249 - (Mecklenburg) Local sales tax. Postponed to 6/20.

HB 1330 - (Guilford) High Point ABC profits. Passed.

HB 1333 - (Martin) Officials compensation. Passed.

HB 1334 - (Martin) Fox hunting season. Passed.

Next session of House: 11:00 a.m., Tuesday, June 20, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 95

Tuesday, June 20, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 707 - Introduced by Scott and Warren

"Relating to refund of inheritance tax upon final determination of the Federal estate tax." [Amends GS 105-29(a) (uniform valuation of estates for federal and state tax purposes) to provide that demand for refund of overpayment of inheritance tax may be made within six months after final determination of Federal estate tax liability, as an alternative to filing deadlines now provided (within three years from statutory date for filing return, or within six months from date of alleged overpayment, whichever is later).] To Calendar Comm.

SB 708 - Introduced by Bailey

"To amend G.S. 20-42 so as to exempt State, county, & municipal and court officials from the fees charged thereunder." [Amends GS 20-42(b) as title indicates; fee referred to is 50¢ fee charged by Department of Motor Vehicles for furnishing certified copy of any record of the Department.] To Calendar Comm.

SB 709 - Introduced by Whitehurst

"To amend Article 12 of Chapter 20 of the General Statutes relating to licensing and regulation of motor vehicle dealers and manufacturers to exempt dealers and manufacturers of trailers weighing less than 500 pounds and carrying loads of not more than 1000 pounds." [Amends GS 20-286(11) to exclude from definition of "motor vehicle dealer" and "dealer" (as used in dealers licensing law) manufacturers, distributors, and sellers of trailers and semitrailers described in title.] To Calendar Comm.

LOCAL BILLS INTRODUCED -- SENATE

SB 705 - (Graham) Introduced by Brumby

"To provide for the nomination and election of members to the Board of Education of Graham County." [Provides for school board to consist of three members nominated and elected for 4-year terms in primary and general elections of 1970 and quadrennially thereafter, those elections to be held and conducted at same time and under same laws and regulations pertaining to nomination and election of county officials per GS Ch. 163. If candidates of political party filing for such offices do not exceed offices to be filled, such candidates shall be nominees for their party without primary. Vacancies on board to be filled for remainder of unexpired term by county executive committee of former member's political party. Board shall hold organizational meeting on first Monday in Dec. and quadrennially thereafter and elect chairman and other necessary officers. Elected members to qualify by taking oath of office on first Monday in Dec. of year of election when term begins. Terms of present members expiring on first Monday in April, 1971, shall terminate on first Monday in Dec., 1970.] To Calendar Comm.

SB 706 - (Clay) Introduced by Brumby

"To provide for the nomination and election of the Board of Education of Clay County." [Provides for nomination and election in 1968 election of one school board member from each of following townships by the voters of the township: Shooting Creek, Tusquittee, Hiawassee, Hayesville, and Sweetwater, and for one member each to be so elected and nominated from Brasstown and Hayesville Townships in 1970 and 1972, respectively, all for 4-year terms and to begin on first Monday of July of year following election; all elections to be held and conducted according to primary and election laws of GS Ch. 163. As each term of office expires, successors shall be nominated and elected from various townships for same office and term. Any vacancy shall be filled by county executive committee of former member's political party for unexpired term.] To Calendar Committee.

SB 710 - (Henderson) Introduced by Buchanan

"To provide for the non-partisan election of the Henderson County Board of Education." [Extends terms of William McKay and Mrs. J. O. Bell to first Monday in Dec., 1970; of L. C. Youngblood and Robert Greer to same day in 1972; and of J. T. Fain, Jr., Boyce A. Whitmire, and Harvey A. Gale to same day in 1974. Provides that on expiration of those terms posts are to be filled for 6-year terms by those receiving highest number of votes in election held by county board of elections in accord with general election law at same time as regular primaries of 1970, 1972, and 1974 and biennially thereafter to fill vacancies occurring. Vacancies in unexpired terms shall be filled by remaining members of board. At first meeting of board after Dec. 1, 1970 and biennially thereafter, board shall select chairman from its members to serve for two years.] To Calendar Committee.

SB 711 - (Halifax) Introduced by Allsbrook

"To amend G.S. 20-175 prohibiting solicitation of contributions from motorists on the highways so as to exempt rescue squads seeking contributions in Halifax County to support their program of promoting highway safety and aiding injured persons on the highways." [Exempts rescue squads in Halifax County from provision of GS 20-175 prohibiting standing or loitering in main traveled portion, including shoulders and medians, of any State highway or street or stopping any motor vehicle for purpose of soliciting employment, business or contributions from driver or occupant that impedes normal movement of traffic.] To Calendar Committee.

SB 712 - (Swain) Introduced by Brumby

"To provide for the nomination and election of members of the Board of Education of Swain County." [Provides for 5-member school board to be nominated and elected at regular 1970 nomination and election (no nomination to be necessary if candidates for one party do not exceed number of posts to be filled). Three candidates receiving highest votes in initial election to serve 3-year terms and next two highest to serve 2-year terms, with expiring terms to be filled for 4-year terms at biennial elections thereafter. Vacancies to be filled for remainder of unexpired term by county executive committee of former member's political party. Board shall hold first organizational meeting on first Monday in Dec., 1968, and biennially thereafter and to elect its own chairman and other necessary officers. Members shall qualify by taking oath on first Monday in Dec. of year in which elected with term to begin then. Present board member terms to expire on first Monday in Dec., 1968.] To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 49 - Intangible tax reduction. Reported favorably as to Senate committee substitute. Committee substitute adopted providing as follows: (1) deletes provisions reducing intangibles tax from 25¢ to 12.5¢ per $100 on accounts receivable, bonds and other evidences of debt, and for beneficial interest

in foreign trusts, and deletes provision reducing intangibles tax from 10¢ to 5¢ per $100 money on deposit with insurance companies; (2) reduces sum appropriated from General Fund to be paid into compensating equalization fund from $8,500,000 to $7,000,000; (3) adds provision making act effective December 31, 1967 only if total General Fund collections for fiscal year ending June 30, 1967, exceeds present estimate of Commissioner of Revenue of $626,505,000 by $7,000,000 or more, but if total collections do not exceed present estimates by $7,000,000 then act to become effective on December 31, 1968, but only if collections for fiscal year ending June 30, 1968 exceed present estimate of Commissioner of $666,230,000 by $7,000,000 or more; if actual collections for neither fiscal year ending June 30, 1967 nor June 30, 1968 exceed present estimates by at least $7,000,000 then act to be null and void. (Original provides only that act to be effective December 31, 1967.)

SB 539 - Involuntary out-patients. Recalled from Mental Health and rereferred to Calendar Committee.

SB 563 - Regional universities and ECU. Amendments adopted restating functions of a regional university and in so doing deleting reference to participation in sixth-year program for public school administrators; providing that in 1971, Governor with advice of Board of Higher Education to appoint consultants to evaluate regional university system and study future status of each of regional universities, with consultants to deliver their findings and recommendations to Governor and Board for report of findings and recommendations to 1973 General Assembly (Original provides that as soon as practical after July 1, 1972 Board of Higher Education, Board of Trustees of University of North Carolina, and boards of trustees of regional universities shall under organizational arrangements prescribed by Governor, study effectiveness of regional universities and their proper future role and status in State system of public higher education and to report to 1973 General Assembly.); adding provision that section not to prevent any college designated in act from applying for any program of affiliation, change in status or other reorganization program not inconsistent with act; providing that additional colleges to be designated as regional universities must have offered master's degree (originally, bachelor's) for 10 years; including Western Carolina College and Appalachian State Teachers College as regional universities and changing their names accordingly; conforming title of bill; and making various technical and clarifying changes. Floor amendment adopted including within the stated pruposes of such regional universities the extension of "their influence and usefulness as far as possible to persons of the areas provided by the institutions who are unable to avail themselves of their advantages as resident students to extension courses, by lectures, and by such other means as may seem to them most effective"; providing that study of regional university effectivenss be made by Board of Higher Education with report to General Assembly, and that study occur not later than July 1, 1972 and deleting references to the study's being made under organizational arrangements prescribed by Governor (see above for original bill and committee substitute provisions). Passed second and third readings.

SB 587 - Interstate motor carrier fee. Reported favorably.

SR 696 - (Joint Resolution) LRC Public Safety Dept. study. Reported favorably.

HB 80 - Retirement benefits exemption, as amended in House 6/19. Received from House; sent to Finance.

HB 310 - State trademarks, as amended in House 6/19. Received from House; sent to Calendar Committee.

HB 343 - Protecting bears. Reported favorably.

HB 505 - Fiduciary's allocating expense. Reported favorably.
HB 560 - Mental hospital accounts, as amended in House 5/29. Reported favorably.
HB 561 - Mental hospital lien, as amended in House 5/29 & 6/1. Reported favorably.
HB 562 - Mental hospital death lien, as amended in House 6/1. Reported favorably.
HB 936 - Pre-trial exam State witness (House committee substitute 6/1). Reported favorably.
HB 993 - Dam safety certification, as amended in House 6/9. Rereferred to Conservation and Development.
HB 1092 - Firelighting deer evidence. Reported unfavorably.
HB 1100 - Amending HB 41, as amended in House 6/9. Reported favorably.
HB 1121 - Guard disability expenses. Reported favorably as amended.
HB 1128 - Validating guardian's sales, as amended in House 6/12. Reported favorably as amended.
HB 1140 - School bus transport. Passed second and third readings.
HB 1148 - Attorney-in-fact commissions. Reported favorably.
HB 1161 - Minors in bowling alleys. Reported favorably as amended.
HB 1168 - State employee defense. Reported favorably.
HB 1169 - Town, county employee defense. Reported favorably.
HB 1201 - County capital reserves. Reported favorably.
HB 1206 - Outstate attorneys practice. Reported favorably.
HB 1209 - Add 2 AG court reports. Reported favorably.
HB 1224 - $15,000 State tort liability. Reported favorably.
HB 1231 - Child detention alternate. Reported favorably.
HB 1253 - Revenue Act codification. Reported favorably.
HB 1254 - Machinery Act codification. Reported favorably.
HB 1278 - Podiatry practice changes. Reported favorably.
HB 1321 - Blind Comm. Exec. Committee. Reported unfavorably.

LOCAL BILLS

SB 367 - (Johnston) Four Oaks annexation, as amended in House 6/2 and 6/13. Passed third reading (completing concurrence in House amendment).
SB 680 - (Harnett) Erwin tax discounts. Passed third reading.

HB 865 - (Lincoln) School merger election (House committee substitute 6/8). Passed third reading.
HB 1330 - (Guilford) High Point ABC profits. Received from House; sent to Calendar Committee.
HB 1333 - (Martin) Officials' compensation. Received from House; sent to Calendar Committee.
HB 1334 - (Martin) Fox hunting season. Received from House; sent to Calendar Com.

Next session of Senate: 12 noon, Wednesday, June 21, 1967.

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BULLETIN NO. 95
Tuesday, June 20, 1967

Session: House -- 11:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1386 - Introduced by Britt of Johnston and Whitley of Guilford
"To eliminate the appointment of a member of the General Statutes Commission by the North Carolina Bar Association." [Amends GS 164-14 to delete authority of president of North Carolina Bar Association to appoint one member of General Statutes Commission and to grant this appointment authority to the General Statutes Commission itself.] To Judiciary 2.

HB 1387 - Introduced by Jordan
"Making certain acts by Superior Court Judges a misdemeanor." [Makes it misdemeanor for any superior court judge as a social guest or otherwise during any regular or special term held in any county to receive or agree to receive "any gift, money, concession, liquor, fish or any other tangible or intangible thing" from any attorney who is member of said county bar or who shall appear before said judge at said term, or for judge to be social guest in home or premises of any such attorney.] To Judiciary 2.

HB 1389 - Introduced by Ramsey
"To make certain supplemental appropriations to the Department of Conservation and Development for forest fire and pest control purposes and forestry management in Person County." [Appropriates $2,500 from General Fund to Department of Conservation and Development for each of fiscal years 1967-68, and 1968-69, for forest fire and pest control and forestry management purposes in Person County and more particularly for salary and other expenses of an assistant county ranger for county.] To Appropriations.

HB 1390 - Introduced by Hamrick and others
"To provide for the issuance of warrants to conduct administrative and other inspections authorized by law." [Adds new Art. 4A to GS Ch. 15 permitting any magistrate of General Court of Justice, judge, clerk, or assistant or deputy clerk of any court of record whose territorial jurisdiction covers property to be inspected to issue to any State or local government official warrant for conducting inspection search when it is established under oath by signed affidavit that (1) search is part of authorized inspection program including object of search in question or (2) there is probable cause for believeing existence of circumstance legally justifying search, and when such showing is verified by examination of affiant. Such warrant is valid if: (1) signed by issuer with time of issuance and note of 24-hour validity, (2) describes object of search with detail sufficient to permit identification, (3) indicates circumstances to be checked by inspection, and (4) is attached to affidavit. Warrant to remain valid for 24 hours and to be returned within 48 hours. Nothing discovered with such warrant to be used as evidence in action if such warrant constitutionally required and if warrant invalid, or if discovered object not a legal object of that search. Such warrant not to be regarded as search warrant for purposes of application of Art. 4 of chapter (governing search warrants generally).] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1388 - (Madison) Introduced by Ramsey and Messer
"To provide for the nomination and election of the Board of Education of Madison County." [Provides for county board of education of five members who shall serve 4-year terms. Establishes two districts for purpose of nomination and election of school board; district one to consist of townships 3, 4 and 7 and district two of townships 1, 2, 5, 6 and 8. At primary for county officers in 1970, and quadrennially thereafter, two candidates shall be nominated from each political party from district one and three from district two. Candidates must file notice of

candidacy indicating party affiliation and must be residents of district from which they propose to be nominated. In general election of 1970, and quadrennially thereafter, separate ballots for each district shall be prepared by county board of elections and the candidates, equal to number of positions to be filled by each district, receiving highest votes from that district shall be elected. Vacancies in board to be filled for unexpired term by county executive committee of former member's political party.] To Calendar Committee.

HB 1391 - (Moore) Introduced by Auman
"Authorizing the County Commissioners of Moore County to enter into a contract for the management and operation of a dog pound-animal shelter." [Authorizes county commissioners to enter into contract with Humane Society of Moore County, Inc. for maintenance and operation of county dog pound-animal shelter and to use county dog tax fund for services of humane society under said contract and, in event dog tax fund insufficient, to pay Humane Society for such services; board may appropriate from county general fund or any non-tax or surplus funds for such purpose.] To Calendar Committee.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 33 - Education board elections, (Senate committee substitute 6/7), as amended in Senate 6/12. Reported favorably.

SB 266 - Water ski boat mirrors, as amended in Senate 6/19. Received from Senate; sent to Calendar Committee.

SB 270 - Public service assessment, as amended in Senate 6/16. Received from Senate; sent to Finance.

SB 351 - Mineral Claims, as amended in Senate 6/5 and in House 6/16. June 19: Passed second reading; vote by which passed second reading reconsidered; vote by which amendment was adopted 6/16 adding Cleveland, Polk and Rutherford counties reconsidered and named counties withdrawn; amendments adopted adding Anson, Durham, Franklin, Jackson, Person, Richmond, Transylvania and Union Counties; passed second reading. June 20: Vote by which passed second reading reconsidered; vote by which amendment was adopted 6/16 adding Vance County reconsidered and Vance County withdrawn; passed second reading. (In present form, original bill as amended applies to following counties: Anson, Buncombe, Durham, Franklin, Guilford, Hoke, Jackson, Montgomery, Person, Richmond, Swain, Transylvania, Union, Wake and Warren.)

SB 400 - Marshland dredging, (Senate committee substitute 6/1), as amended in Senate 6/14. Reported favorably.

SB 406 - Water Safety Committee, as amended in Senate 5/22, (Senate committee substitute 6/19), as amended in Senate 6/19. Received from Senate; sent to Calendar Committee.

SB 426 - Consolidated UNC Trustees (2), (Senate committee substitute 6/5). Amendments adopted providing that only trustees serving two regular terms after July 1, 1967 be ineligible to succeed themselves (in substitute, terms at any time); deleting prohibition against member of General Assembly being elected to board during his term; deleting provision that Governor may include General Assembly members among his appointments to board; providing that at least 10% of board be women (in substitute, no requirements dealing with women); leaving Governor as designater of board meeting times and places (in substitute, Chairman of Board given that duty); and retaining GS 116-9 in present form (Governor as president of trustees meetings) (Substitute put Chairman in that position); deleting references to Chairman as member of Executive Committee and its chairman, and provides that "at" (in substitute, "after") 1967 election Executive Committee shall also elect a chairman (in substitute, only vice-chairman and secretary). Floor amendment adopted deleting requirement that one of trustees elected by General Assembly be resident of each Congressional district. Failed to pass second reading.

SB 517 - Watchmaking Board, as amended in Senate 6/6. Reported favorably as amended.
SB 518 - Liability ins. limits, as amended in Senate 6/16 and 6/19. Received from Senate; sent to Calendar Committee.
SB 521 - Small animal cruelty, as amended in Senate 6/16 and 6/19. Received from Senate; sent to Calendar Committee.
SB 578 - Psychologist licensing, as amended in Senate 6/9 and 6/14. Reported favorably.
SB 579 - Fed. S&L share guarantee. Reported favorably.
SB 593 - Poultry inspection. Received from Senate; sent to Calendar Committee.
SB 603 - Ad. val. tax appraisal review. Reported favorably.
SB 604 - Substitute trustee validation, as amended in Senate 6/9. Reported favorably.
SB 610 - Non-resident trustee agents, as amended in Senate 6/9. Reported favorably
SB 611 - Next of kin definition. Reported favorably.
SB 612 - Probate by service spouses. Reported favorably.
SB 613 - Corporate merger registration. Reported favorably.
SB 648 - Municipal ABC elections, as amended in Senate 6/15 and 6/19. Received from Senate; sent to Calendar Committee.
SR 700 - (Joint Resolution) Civil Procedure Rules study, as amended in Senate 6/16. Reported favorably.
HB 214 - Joint tortfeasor contributions, as amended in House 4/12 and in Senate 6/9 and 6/19. Received for concurrence in Senate amendments; concurred.
HB 465 - 7% interest rate, (House committee substitute 5/1), as amended in Senate 6/5 and 6/14. Concurred in Senate amendment.
HB 543 - Notary public stamps. Reported favorably as amended.
HB 553 - Drunk driving chemical evid. Reported unfavorably.
HB 560 - Mental hospital accounts, as amended in House 5/29. Reported favorably.
HB 616 - Charitable immunity no defense. Received for concurrence in Senate amendments of 6/16 making effective date of Act September 1, 1967. Concurred.
HB 717 - Pistol hunting rabbit, squirrel, as amended in House 6/19. Received for concurrence in Senate amendments; concurred.
HB 749 - Boat sales tax. Passed third reading.
HB 753 - MD cancer report immunity, as amended in Senate 6/19. Received for concurrence in Senate amendment; concurred.
HB 931 - Livestock markets revision, as amended in House 5/26 and 6/19. Received for concurrence in Senate amendment; concurred.
HB 953 - Marshland dredging. Reported unfavorably.
HB 981 - Funeral expense priority. Reported favorably.
HB 1067 - Securing charitable deposits. Reported favorably.
HB 1076 - Credit card misuse. Reported favorably as amended.
HB 1077 - Pest Control Act of 1955. Reported favorably as to committee substitute. Committee substitute adopted making following changes in original bill: (1) Changes from four to two years the term of the member of Structural Pest Control Committee to be appointed by Dean of School of Agriculture and makes provision that this shall be one time appointment with subsequent appointments to this position to be made by Commissioner of Agriculture from employees of his Department who shall serve at pleasure of Commissioner. (2) Deletes member of committee to be appointed by Governor from general public for term of two years and replaces him with member to be appointed by Governor from pest control industry, provided he shall not be affiliated with same company as appointee from industry provided for under original bill. (3) Adds new grounds for revocation or suspension of licenses of failure to affix copy of contract given to customer of a specified stamp or failure to make specified monthly reports to Director of Structural Pest Control Division, and deletes ground for such revocation or suspension of failure to remit specified inspection fees to Department of Agriculture. (4) Increases annual

license fee from $10 for each of three possible phases of license to $50 for first phase and $25 for each additional phase, and increases late license renewal fee from $5 for each phase to $10 for each phase. (5) Adds requirement that identification cards must be displayed upon demand of Director of Structural Pest Control Division of Department of Agriculture or his authorized representative. (6) Deletes provisions of new GS 106-65.36 concerning inspection fees, and in its place provides that every licensed pest control operator shall enter into written contract for services in regard to wood-destroying organisms or in such other phases or structural pest control as Committee may specify and states circumstances under which one ore more buildings may be covered by same contract, provided that in pretreatment of new structures the contracts or warranties required by FHA or VA or other governmental agency or mortgagee shall be sufficient. Requires operators to report each month's business in specified form on monthly basis. Provides that for work on and after August 1, 1967 operators shall affix to customer copy of contract for control of wood-destroying organisms a stamp sold by Department of Agriculture for $1.50, with specified exceptions. Such fees to be used by Department to defray specified costs under act.

HB 1155 - Department of Correction. Reported favorably as to committee substitute. Committee substitute adopted identical with Senate committee substitute to SB 555 digested in calendar section of Bulletin No. 88, June 9, 1967, at page 888.

HB 1171 - Warehouse interstate property. Passed third reading.

HB 1173 - Contract carrier permits. Passed second and third readings.

HB 1174 - Contract carrier defined. Passed second and third readings.

HB 1193 - Roadside junkyard control. Amendment adopted rewriting Sec. 15 of original bill to provide that SHC not required to expend any funds for regulation of junkyards under act, nor shall act be effective, except Sec. 12 (relating to junkyard control agreements with other governmental authorities), until SHC has entered into agreement with Sec'y of Transportation as authorized by Sec. 12 and provided by Highway Beautification Act of 1965.

HB 1242 - Longer loose-leaf registration. Withdrawn from Elections and Election Laws; re-referred to Calendar Committee.

HB 1295 - Redefining slot machines. Reported favorably.

HB 1297 - Felony-misdemeanor charges. Re-referred to Judiciary 1.

HB 1315 - Fishing near ocean piers. Reported favorably.

HR 1341 - (Joint Resolution) NC Building Code Comm'n. Reported favorably.

LOCAL BILLS

SB 658 - (Transylvania) School board election. Received from Senate; sent to Calendar Committee.

SB 677 - (Person) Roxboro land sale. Received from Senate; sent to Calendar Committee.

HB 227 - (Person) Alimony and support payments, as amended in Senate 6/16. Concurred in Senate amendment.

HB 816 - (Swain) School board election. Withdrawn from Education; sent to Calendar Committee.

HB 1120 - (Buncombe) School tax election. Postponed indefinitely.

HB 1249 - (Mecklenburg) Local sales tax. Amendment adopted to provide that no tax shall be imposed where tangible personal property sold is delivered to purchaser outside State or Mecklenburg (original bill, required for this exemption that such goods be delivered "to a common carrier for delivery" to specified type of purchaser). Floor amendments adopted making following changes in original bill:

(1) Limits 1% sales tax created by act to those items on which State imposes 3% sales tax (original bill, imposed 1% tax on all items on which State now imposes any sales tax under GS 105-164.4(1). (2) Provides that every retailer doing business in State, required to collect use tax levied by GS 105-164.6, shall collect 1% tax authorized by act on all sales of tangible personal property for use, consumption, or storage in Mecklenburg County, provided tax shall be against purchaser and collected concurrently with State's use tax but liability of purchaser for tax is extinguished on its payment to retailer. (Original bill, merely specified that such tax be collected concurrently with State tax by "every retailer engaged in business in Mecklenburg County.") (3) Specifies that in computing amount of tax to be collected from purchaser on sales to which 3% and 1% tax applicable retailer shall collect on sales over $1.12, "straight four per cent (4%) with major fractions governing" (original bill, "5¢ on sales of $1.13 and over with a major fraction"). (4) Specifies that every retailer "whose place of business is in Mecklenburg County" (original bill, "engaged in business in" said county) shall collect tax imposed by act. (5) Provides that amount of 1% tax to be distributed to governments in Mecklenburg by Commissioner of Revenue shall be "net proceeds" thereof (adds quoted words). (6) Makes technical and clarifying changes.

HB 1251 - (Moore) School board election, as amended in House 6/8 and in Senate 6/19. Received for concurrence in Senate amendment; concurred.

HB 1381 - (Forsyth) W.S. Transit Authority. Reported favorably; re-referred to Judiciary 1.

The Speaker appointed Rep. High to replace Rep. Ragsdale on Calendar Committee.

BILLS RATIFIED

SB 194 - Extending embezzlement. [Ch. 819]
SB 209 - Hospital facility leasing. [Ch. 820]
SB 254 - Employee political activity. [Ch. 821]
SB 388 - Plates of uninsured revocation. [Ch. 822]
SR 451 - (Joint Resolution) Barring insurer's advertising. [R 66]
SB 471 - Registers corporate filing. [Ch. 823]
SB 475 - Insurance service charge. [Ch. 824]
SB 477 - Cancelled insurance premiums. [Ch. 825]
SB 509 - Phase out mayor's court. [Ch. 826]
SR 512 - (Joint Resolution) Pilot Mountain State Park. [R 68]
SB 556 - Butner hospital site cession. [Ch. 827]
SB 586 - (Gaston) Bessemer City Charter revision. [Ch. 828]
SB 615 - (Edgecombe) County officials salaries. [Ch. 829]
SB 619 - (Gaston) Gastonia ABC elections. [Ch. 830]
SB 625 - (Alamance) Officials pay. [Ch. 831]
SR 699 - (Joint Resolution) Honoring Hodges. [R 65]
HB 332 - (Avery) Crossnore Charter revision. [Ch. 832]
HB 537 - Phone harassment, as amended in House 5/26. [Ch. 833]
HB 596 - Alcoholic centers costs. [Ch. 834]
HB 600 - (Johnston) Tax foreclosure costs. [Ch. 835]
HB 737 - (Buncombe) Montreat incorporation. [Ch. 836]
HB 769 - (Gaston) Restricting brown bag permits, (House committee substitute 5/18). [Ch. 837]
HB 798 - (Cumberland) Fayetteville charter changes. [Ch. 838]
HB 1013 - (Halifax) Commissioners tenure election. [Ch. 839]
HB 1151 - (Mecklenburg) Charlotte recorder arrest cost. [Ch. 840]
HB 1170 - (Currituck) Incorporating Bell's Island. [Ch. 841]
HB 1187 - Life ins. co. investments. [Ch. 842]
HR 1230 - (Joint Resolution) Tax Study Commission. [R 67]

Next session of House: 10:30 a.m., Wednesday, June 21, 1967.

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GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 96
Wednesday, June 21, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SB 713 - Introduced by Moore
"To amend G.S. 20-7, G.S. 20-11 and G.S. 20-14 pertaining to driver license fees." [Amends GS 20-7 (Operators' and Chauffeurs' licenses) to set fee for issuance or re-issuance of operator's license at $3.75 (now $2.50), for chauffeurs license at $4.75 (now $400) and for temporary learner's permit at $.75(new). Amends GS 20-14 (Duplicate certificates) to set fee for obtaining a duplicate in case original license lost at $.75 (now $.50) and adds provision that when re-issue is due to change of name or address, upon payment of $.75 fee and surrender of current license, new license may be obtained.] To Calendar Committee.

SB 715 - Introduced by White of Lenoir and Burney
"To amend G.S. 28-174 relating to evidence which may be considered by the jury in wrongful death actions." [Adds provision to cited section that jury, in computing damages in wrongful death actions, may consider evidence of value, if any, of decedent's services to individuals entitled to share in proceeds of wrongful death recovery.] To Judiciary 2.

SB 716 - Introduced by White of Lenoir
"To amend Article 4 of Chapter 116 of the General Statutes of North Carolina to make the provisions of Article 21 of said Chapter applicable to the North Carolina School of the Arts and to authorize the issuance of revenue bonds by said school." [Identical with HB 1392, digested in the House section of today's bulletin.] To Calendar Committee.

SB 717 - Introduced by White of Lenoir
"Making the larceny of secret technical processes a crime." [Adds new GS 14-75.1 making it felony (punishable by imprisonment not to exceed four years or by fine not to exceed $5,000 or both) for any person to steal property consisting of a sample, micro-organism, specimen, record, recording, document, drawing, or other article, material, device, or substance which constitutes or represents a secret scientific or technical process, invention, formula, or any phase thereof. Defines "secret" process, invention or formula as something which is not, or is not intended to be, available to anyone other than owner or selected persons having access for limited purposes with owner's consent and when it accords owner advantage over competitors or others who do not have knowledge or benefit thereof.] To Calendar Committee.

SB 718 - Introduced by White of Lenoir
"To provide for the exercise and review of judicial discretion." [Amends GS Ch. 1 (Civil Procedure) adding new GS 1-277.1 to provide for exercise of judicial discretion upon facts appearing to court and on motion of a party, with court to find facts and make record thereof; facts must be based upon competent evidence and

be substantial in nature; upon motion of party, record to be made of evidence presented. Sets out requirements for exercise of judicial discretion that it: (1) not be arbitrary, (2) be based on consideration of all facts, (3) not deprive party of benefit of successful appeal and (4) be based on sound reasons, and upon motion of party, court to state its reasons for decision reached and make record thereof. Makes exercise of judicial discretion reviewable upon appeal in any circumstances for its abuse; or when a motion is made to record evidence presented, findings of fact may be reviewed as to supported by evidence; or when there is a finding of facts without motion; or when there is or is not a motion that court state its reasons and make a record thereof.] To Calendar Committee.

SR 722 - (Joint Resolution) Introduced by Whitehurst and others

"Authorizing and directing the President of the Senate and the Speaker of the House of Representatives to provide that the General Assembly adjourn to meet on the first Wednesday after the first Monday in February of 1968." [Identical with HR 1364, digested in bulletin no. 92 at page 943.] To State Government.

LOCAL BILLS INTRODUCED -- SENATE

SB 714 - (Harnett) Introduced by Morgan

"Authorizing the Board of Education of Harnett County to convey certain real property." [As title indicates; authorizes board of education to convey without consideration tract to Erwin Mills, Inc. and sets out boundaries by metes and bounds. Authorizes board to convey to Good Hope Hospital, Inc., tract adjacent to such hospital, at private sale.] To Calendar Committee.

SB 719 - (Halifax) Introduced by Allsbrook

"To provide for a referendum in Halifax County upon the question of the applicability of the 1959 annexation laws." [Provides that county board of elections conduct special election on same date as 1968 primary for county officers on question whether 1959 municipal annexation laws, set out in GS Ch. 160, Art. 36, parts 2 and 3, shall be made applicable to municipalities in county. Provides that no new or special registration be required, that laws applicable to primary elections be applicable to special election, and sets out form of ballot. Amends GS 160-453.12 (counties excepted from part 2) and GS 160-453.24 (counties excepted from part 3) by deleting county from exempted list.] To Calendar Committee.

SB 720 - (Gaston) Introduced by Rauch

"Creating the Gaston Regional Planning Commission; providing for its organization, powers and duties: conferring upon certain governmental units the power and authority to adopt and enforce zoning, subdivision and other comprehensive regulations for the purpose of promoting orderly growth and sound development." [Authorizes City of Gastonia and Gaston County to create regional planning commission pursuant to GS Ch. 153, Art. 23 (Regional Planning Commissions), by adoption by governing body of each participating governmental unit concerned of resolution providing for membership, terms, compensation, method for determining financial support to commission, and budgetary procedures; commission to elect a chairman from its members and to appoint an attorney. Authorizes Commission to exercise powers of county planning board or a joint planning board, municipal redevelopment commission, municipal planning board, and municipal zoning commission. Provides that if commission created it shall supersede any existing planning board or zoning commission and its planning, zoning, subdivision or building control regulations may supersede any existing regulations of like nature. Provides that if agreement creating commission is terminated, each governmental unit to be free to create its own local planning board or zoning commission and to adopt regulations. Provides that a unit of government may withdraw after giving one year's notice to other

participating units and upon withdrawal such unit to be free to create its own planning board or zoning commission. Provides for joint inspection department or other agency for enforcement of ordinances or regulations adopted by any participating governmental unit. Authorizes any county or municipality electing to come within act to make appropriations to support commission and any joint enforcement agency created. Provides that in connection with subdivision or platting controls, any participating governmental unit may require improvement and grading of streets, including drainage pavement, and water and sewer systems. Provides that any governmental unit joining Commission to retain its legislative authority over all planning, zoning, subdivison, and building control regulations unless such authority expressly delegated to and accepted by Gaston County Commissioners. Provides also for reference of other matters pertaining to planning, zoning, subdivision and building control regulations to commission before final action taken by governmental unit with commission to conduct necessary hearings on such matters.] To Calendar Committee.

SB 721 - (Cherokee) Introduced by Brumby

"For the nomination and election of members of the Board of Education of Cherokee County." [Provides for six member board of education serving 6-yr. staggered terms. Divides county into three districts: No. 1, Valley Town Township; No. 2, Brasstown Precinct, Burnt Meeting House Precinct, Murphy North and South Wards, Peachtree Precinct, and Walker School House Precinct; No. 3, Culberson Precinct, Grape Creek Precinct, Hanging Dog Precinct, Hot House Precinct, Ogreeta Precinct, Shoal Creek Precinct, and Unaka Precinct. Provides for nomination and election at primary and general elections per GS Ch. 163 of candidates who must be residents of districts they represent as follows: 1968- one each from districts No. 1 and 3; 1970- one each from districts No. 1 and 2; 1972- one each from districts No. 2 and 3. Requires separate ballots for each district and only qualified voters of district where candidate resides entitled to vote for him. Provides that biennially after 1972 two member to be elected to replace members whose terms expire. Provides that terms of present members expire as follows: Clarence C. Hemphill-first Monday in December 1968, Noah W. Hembree and Dr. Charles O. Van Gorder-first Monday in December 1970; Lewis King and Robert Stiles-first Monday in December, 1972. Provides that at first meeting of board after 1968 election board to elect chairman from membership; if tie vote, each member to cast number of votes equal to total votes cast for all candidates from his district. Denies board chairman right to vote; four members constitute quorum. Provides that vacancies to be filled for unexpired term by county executive committee of political party causing vacancy.] To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 49 - Intangible tax reduction, (Senate committee substitute 6/20). Failed to pass second reading.

SB 465 - Water use controls. Reported favorably as to committee substitute; substitute adopted making following changes in original bill: (1) Amends provision concerning granting of permit to existing water users at time of declaration of capacity use area for their reasonable needs, to provide that grant of any such permit "shall not have unreasonably adverse effects upon other water uses in the area, including public use, and including potential as well as present use" (adds quoted clause). Adds provision that Board shall also take into consideration in granting permits the prior investments of any person in lands, and related plans for water usage submitted to Board within reasonable time after effective date of Act, with same proviso concerning unreasonable adverse effects on others as quoted above. Adds special severability clause for provisions described in preceding two sentences, that if either such provision is found invalid as a "separate emolument or privilege", remainder of Act shall take effect without invalid provision. Adds provision that, pending issuance or denial of such permits, applicants may continue pre-existing water uses. (2) Specifies that "non-consumptive use" permits be granted without conditions

(other than information requirements). Amends definition of "non-consumptive use" of surface waters to provide that water must be returned to stream without substantial diminution in quantity (originally, substantial diminution of quantity or impairment of quality). Adds a definition of non-consumptive use of ground water as water withdrawn from a ground water system or aquifer so as to be returned to system or aquifer at or near point of withdrawal, provided that, in determining whether such use is non-consumptive, Board may take into consideration whether resulting injury or detriment to other water users by water pressure reduction has not been adequately compensated. (3) Adds section providing that Act is not to change or modify existing common or statute law respecting relative rights of riparian owners concerning non-consumptive use of surface water. (4) Eliminates Section 8 of original bill, which permitted Board to delegate its authority to local agencies. (5) Deletes original provision that regulations adopted pursuant to Section 4 may include provisions limiting use of water withdrawals to riparian or overlying land. Provides that such regulations may include provisions requiring reports "not more frequently than at 30-day intervals" (adds quoted words) concerning quantity of water (originally, quantity or quality), sources, and the nature of the use (originally, "other information deemed necessary"). (6) Deletes provision of original bill authorizing Board to issue declaratory judgments. (7) Adds provision spelling out detailed factors for Board to consider in passing upon permit applications and in adopting regulations, including such matters as nature and size of stream or aquifer, importance and extent of various water uses, and nature and probable severity and duration of any threatened impairment of stream or aquifer. (8) Deletes original provision for advisory committees concerning each capacity use area. (9) Requires findings by Board (in lieu of provisions for action "in the judgment of the Board" or for Board to "deem" certain facts) in various provisions of bill; specifies that various references to procedural requirements of Act include notice and hearing; specifies that various Board actions under Act must be "consistent with the provisions of this Act". (10) Amends provisions concerning hearings under Act to specify that hearings not held by full Board be held before a Board member or members or before qualified Board employee or employees (originally, before Board's authorized agent or agents), and only for purpose of reporting evidence and record to Board for decision. (11) Provides generally for 30-day notice periods under Act (originally, both 30 and 20 day periods). (12) Replaces original judicial review provision of Act (judicial review under GS Ch. 143, Art. 33) with provision enacted in HB 356 (Board of Water and Air reorganization), including "Allsbrook amendment". (3) Eliminates requirement that permit applicant hold title to or lease to property from which water withdrawn; and eliminates condition of transferring permits that transfer be for identical use of same land (leaving in bill provision that permits shall not be transferred without Board approval). (14) Specifies that any alternative to water metering under Sec. 6(d) be "more economical means" of measurement. Limits applicability of reporting requirements of Sec. 6(c) to persons required to secure permits; adds provision that other water users comply procedures adapted to needs of area and prescribed after public hearing. (15) Makes various clarifying amendment and changes effective date from July 1, 1967 to ratification.

SB 486 - Impounding abandoned vehicles. Reported favorably as to committee substitute substitute adopted to providethat tower and storage keeper shall have lien on vehicle for authorized charges and that he may sell vehicle to satisfy such lien if vehicle unredeemed within 30 days (in original, sale per provisions of GS 20-77(d), sale of vehicle to satisfy garage owner's lien on unclaimed vehicle, if unclaimed within 90 days). Sale permitted differs from GS 20-77(d) in omitting all references to garage owners and in referring to sale as satisfying towing as well as storage charges. Retains provision for payment of unclaimed proceeds to board of

education of county of sale. Makes following new provisions: law enforcement officer causing such storage must notify DMV on form provided by it within 48 hours, stating place of and reason for storage and description of vehicle; right to sell vehicle under act constitutes no warehouseman's lien per Art. 7 of the UCC; SHC authorized to tow, store and sell parked and abandoned vehicles in manner provided in Act. Deletes, by omitting reference to GS 20-77(d), requirement that storage keeper notify DMV of unclaimed vehicle at risk of losing lien on vehicle and provision that in absence of specific provision storage charges to become due 90 days after storage begins.

SB 525 - Engineer surveyor changes, as amended in Senate 6/15. Re-referred to State Government.
SB 564 - Airport property tax exemption. Reported favorably.
SB 565 - Sales tax refunds for airports. Reported favorably.
SB 587 - Interstate motor carrier fees. Passed second reading.
SB 671 - New resident auto licensing. Withdrawn from Public Roads; re-referred to Calendar Committee.
SB 679 - County land fill bonds. Passed third reading.
SB 686 - Fraudulent license procurement. Reported favorably.
SB 693 - Hwy Patrol longevity pay. Reported favorably.
SB 697 - Lt. Governor's compensation. Withdrawn from Calendar Committee; re-referred to Appropriations.
SB 703 - Military base Sunday hunting. Reported favorably.
SB 707 - Inheritance tax refunds. Reported favorably.
SB 708 - Motor vehicles record fees. Reported favorably.
SB 709 - Vehicle dealers licenses. Reported favorably.

HB 119 - Local bond absentee voting, (House committee substitute 6/14), as amended in House 6/15. Reported favorably.
HB 545 - Perpetual care cemetaries, (House committee substitute 5/10), as amended in House 5/17. Reported favorably as amended.
HB 546 - Burial ass'n ass'm't and bonds, (House committee substitute 5/10). Reported favorably.
HB 749 - Boat sales tax. Received from House; sent to Finance.
HB 937 - Drunk-drugged driving punishment, (House committee substitute 5/25), as amended in House 6/2 and 6/5. Reported unfavorably
HB 972 - Agency reports to UNC branches. Reported favorably as amended.
HB 1004 - Aged auto insurance, as amended in House 6/2 and 6/5. Reported favorably.
HB 1016 - Dying declarations, as amended in House 6/2. Passed third reading.
HB 1030 - NC Burial Ass'n Commission. Reported favorably.
HB 1032 - Reports to Asheville-Biltmore. Reported favorably.
HB 1038 - County aid to retarded. Reported favorably.
HB 1098 - Workable windshield wipers. Reported favorably.
HB 1101 - Carrier's gross revenue tax. Reported favorably.
HB 1112 - Mortgage brokers license, (House committee substitute 6/8), as amended in House 6/14. Reported favorably.
HB 1144 - Credit card insurance, (House committee substitute 6/13). Reported favorably.
HB 1146 - Local airport bond maturities. Reported favorably.
HB 1153 - Kiddy-ride privilege tax, as amended in House 6/2. Reported favorably.
HB 1163 - Trip licenses. Withdrawn from Public Roads; re-referred to Calendar Comm.
HB 1167 - Mutual deposit guaranty ass'ns. Reported favorably.
HB 1171 - Warehouse interestate property. Received from House; sent to Finance.
HB 1173 - Contract carriers permits. Received from House; sent to Calendar Committee.
HB 1174 - Contract carrier defined. Received from House; sent to Calendar Committee.
HB 1189 - Assigned risk default judgments, as amended in House 6/12 and 6/14. Reported favorably as amended.
HB 1200 - Motor vehicle brakes. Reported favorably.

HB 1246 - Welfare board appointment, as amended in House 6/14. Passed third reading.
HB 1262 - Front lamps to head lamps. Reported favorably.
HB 1273 - Frying Pan Lightship Comm'n. Reported favorably.
HB 1285 - Workmen's comp. cancellation. Reported favorably.

LOCAL BILLS

HB 387 - (Catawba) Annexation limitation. Reported unfavorably.
HB 706 - (Gaston) Cramerton incorporation, as amended in House 6/7. Reported favorably as amended. Amendments adopted deleting requirements that ordinances and resolutions be introduced by board of commissioners in written or printed form and that expenditures for supplies, materials, and equipment involving more than $1,000 be made on written contract after receipt, opening and awarding of bids, altering metes and bounds description of town limits; and indicating intent of description to include rights-of-way of certain roads and highways.
HB 948 - (Forsyth) Winston-Salem condemnation. Passed.
HB 1236 - (Carteret) School board appointment. Passed.
HB 1255 - (Vance) Jurors fees. Passed.
HB 1264 - (Alexander, Burke, Caldwell) Home tax rule. Passed.
HB 1266 - (Brunswick) Officials' salaries, as amended in House 6/15. Passed.
HB 1290 - (Macon) Nat. Forest funds use. Passed.
HB 1291 - (Cumberland) Auditorum tax, as amended in House 6/14. Amendments adopted making following changes: (1) Setting tax levy at 2¢ (original bill, 5¢; as amended in House 6/14, 3¢). (2) Specifying that question of tax authorized by act may be submitted at any "elections" (original bill, "election") to voters of county. Floor amendment adopted to limit period during which any tax authorized under act may be levied to maximum period of three years.
HB 1298 - (Hertford) Sheriff-weapons permits. Passed.
HB 1320 - (Carteret) Property tax listing. Passed.

Next session of Senate: 12 noon, Thursday, June 22, 1967.

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BULLETIN NO. 96

Wednesday, June 21, 1967

Session: House -- 10:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1392 - Introduced by Hamrick
"To amend Article 4 of Chapter 116 of the General Statutes of North Carolina to make the provisions of Article 21 of said Chapter applicable to the North Carolina School of the Arts and to authorize the issuance of revenue bonds by said school." [Renumbers GS 116-70 as GS 116-71, and adds new GS 116-70 making cited school a State-supported institution of higher learning for purposes of GS Ch. 116, Article 21 (Revenue bonds for student housing, student activities, physical education and recreation). Authorizes School's board of trustees with approval of Advisory Budget Commission to issue revenue bonds for purpose of providing funds with other available funds for acquiring dormitory facilities presently leased by school. Identical with SB 716.] To Appropriations.

HB 1393 - Introduced by Collier
"Amending G.S. 119-49 relating to the minimum standards for liquefied petroleum gases." [Amends GS 119-49 by updating pamphlets no. 58 and 54 of National Fire Protection Association (which constitute part of safety standards for liquefied petroleum gas) from versions of 1961 and 1959 to versions of 1965 and 1964, respectively.] To Calendar Committee.

HB 1400 - Introduced by Edwards
"To eliminate the provisions for double indexing of instruments in accordance with the former law relating to registration of security interests in personal property." [Declares that provision of GS 161-22 requiring double indexing by registers of deeds (when instrument covers both real and personal property) is in conflict with Uniform Commercial Code. Amends GS 161-22 by eliminating this requirement of double indexing. Effective midnight, June 30, 1967.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1394 - (Northampton) Introduced by Jernigan and Burden
"Relating to the fees of the Register of Deeds of Northampton County." [Sets registration fees of register of deeds as follows: deed $2.00; deed of trust $2.75; marriage certificate $1.00; birth certificate $1.00; death certificate $1.00; registration of delayed birth certificate $1.00; and issuance of certified delayed birth certificate $1.00.] To Calendar Committee.

HB 1395 - (Robeson) Introduced by McMillan
"To provide for the election of members of the Board of Education of Robeson County." [Provides for seven member school board serving 4-yr staggered terms. Election to occur biennially at time of primary election for county officers. Each candidate to file notice of candidacy as do candidates for other county offices and election to be held per rules governing election for county officers. Requires separate ballot. Continues present membership until terms expire and provides for qualification of new members on June 1 of year elected. Vacancies to be filled by remaining board members.] To Calendar Committee.

HB 1396 - (Duplin) Introduced by Johnson
"To provide for the nomination and election of the members of the Board of Education of Duplin County." [Continues five member board of education with present members continuing in office until successors selected. Members to serve

6-yr staggered terms and to be elected at primary and general election per rules for election of other county officers. Requires $5.00 filing fee for candidates in primaries. Members to take office on first Monday in April following their election. Vacancies to be filled (for unexpired term) by county executive committee of party of former member.] To Calendar Committee.

HB 1397 - (Watauga) Introduced by Isaac
"To amend Chapter 470 of the Session Laws of 1961 relating to the Watauga County Airport Commission." [Amends cited Act by adding new section authorizing cited commission to acquire property for airport purposes in the same manner and to same extent as Boone, Blowing Rock and Watauga County are authorized to under Act. Acquisition of land by condemnation to be in accord with GS Ch. 40, Article 2 (condemnation proceedings).] To Calendar Committee.

HB 1398 - (Graham) Introduced by McGlamery
"To provide for the nomination and election of members to the Board of Education of Graham County." [Identical with SB 705, digested in the Senate section of yesterday's bulletin.] To Calendar Committee.

HB 1399 - (Cleveland) Introduced by Mauney
"Amending Chapter 58, Public-Local Laws of 1939 relating to the Charter of the City of Kings Mountain." [Amends cited Act by changing from 7:00 a.m - 7:00 p.m. to 9:00 a.m. - 5:00 p.m. hours during which election registration books to be open and by changing from 7:00 a.m. - 6:00 p.m. to 6:30 a.m. - 6:30 p.m. hours during which polls to be open at election time. Adds provision that on challenge day registration books to be kept open at polling place in each ward from 9:00 a.m. - 3:00 p.m.] To Calendar Committee

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 351 - Mineral claims, as amended in Senate 6/5 and in House 6/16 and 6/19. Passed third reading.
SB 400 - Marshland dredging, (Senate committee substitute 6/1), as amended in Senate 6/14. Passed second reading.
SB 517 - Watchmaking board, as amended in Senate 6/6. Amendment adopted to exempt out-of-state firms specializing in repair of watches (when designated as such by board of examiners), to provide that appeals from board decisions to be per GS Ch. 143, Article 33 (judicial review of decisions of administrative agencies), and to make technical changes. Passed second reading.
SB 563 - Regional University and ECU, as amended in Senate 6/20. Received from Senate; sent to Calendar Committee.
SB 578 - Psychologist licensing, as amended in Senate 6/9 and 6/14. Passed second reading.
SB 609 - Local tax refund cutoff. Reported favorably.
SR 654 - (Joint Resolution) Cts. Comm. Pub. Defender Study, as amended in Senate 6/16. Reported favorably.
SB 669 - Local Gov. retirement changes. Reported favorably.

HB 30 - No campaigning at polls. Reported favorably as to committee substitute; committee substitute adopted amending GS 163-147, as enacted by SL 1967, Ch. 775 (recodifying election laws) to provide that no person shall, while polls open at voting place on day of primary or election, loiter about or do any electioneering within "one hundred feet of building in which the voting place is located" (adds quoted words in place of prohibition against such activity "within the voting place or within fifty feet thereof." Original bill had amended GS 163-165 (comparable provision of election laws prior to recodification) to prohibit any loitering, electioneering, or placing of political banners within 100 yards of voting place while polls open.

HB 176 - Wife's $2,000 exemption. Reported favorably as amended.
HB 215 - Beer-wine transportation. Reported unfavorably.
HB 543 - Notary public stamps. Amendment adopted to make it clear that where clear and legible impression of notarial seal appears on instrument, it deemed as valid as notarial stamp. Passed second and third readings.
HB 981 - Funeral expense priority. Passed second and third readings.
HB 1028 - Beer-wine tax distribution. Reported unfavorably.
HB 1029 - Beer-wine tax use. Reported unfavorably.
HB 1036 - Dispenser tax changes. Reported favorably as amended.
HB 1076 - Credit card misuse. Postponed to 6/22.
HB 1077 - Pest Control Act of 1955, (House committee substitute 6/20). Passed second reading.
HB 1155 - Department of Correction, (House committee substitute 6/20). Postponed to 6/23.
HB 1193 - Roadside junkyard control, as amended in House 6/20. Passed second and third readings.
HB 1194 - Highway beautification. Amendment adopted to provide that no lands, rights of way or facilities of public utility or electric or telephone membership corporation may be acquired except that Commission upon payment of full cost may require relocation of electric distribution or telephone lines or poles; authorizes acquisition of such lands with consent of public utility or membership corporation. Passed second and third readings.
HB 1195 - Billboard regulation. Amendment adopted to authorize placement of signs by public utilities, electric or telephone membership corporations, or municipalities which give warning of underground cables, pipelines or other installations; and to rewrite Sec. 15 of original to provide that SHC not required to expend any funds for regulation of outdoor advertising under Act, nor Act to be effective except Sec. 13 (agreements with other governmental authorities) until Federal funds available and SHC has entered into agreement with Sec'y of Transportation as authorized by Sec. 13 and provided by Highway Beautification Act of 1965. Passed second and third readings.
HB 1197 - Publications to ECC. Postponed to 6/23.
HB 1240 - County and municipal zoning. Reported favorably.
HB 1302 -Trading stamp companies. Reported unfavorably.
HB 1304 - Gift tax advance payments. Reported favorably.
HB 1305 - Foreign trust tax credit. Reported favorably.
HB 1306 - Medical benefits tax exemption. Reported favorably.
HB 1307 - Brother & sister-in-law taxes. Reported unfavorably.
HB 1308 - Sons & daughters-in-law taxes. Reported unfavorably.
HB 1309 - $5,000 inheritance tax exemption. Reported favorably.
HB 1310 - Retirement service pay tax. Reported favorably.
HB 1311 - Manufacturers inventory tax. Reported favorably.
HB 1318 - Newspaper dispenser tax exempt. Reported favorably as amended.
HB 1337 - Porpoise protection. Reported favorably as amended.
HB 1355 - Annexation technical changes. Reported favorably as amended.
HB 1356 - Fraudulent license procurement. Reported favorably.
HB 1359 - Escheat auto collision funds. Reported favorably.
HB 1378 - Military base Sunday hunting. Reported favorably.

LOCAL BILLS

SB 340 - (Craven) School board election, (Senate committee substitute 6/9). Passed.
SB 582 - (Halifax) Roanoke Rapids retirement. Passed.
SB 626 - (Cumberland) Sheriff to dogs. Postponed to 6/22.
SB 637 - (Cherokee) Andrews ABC election. Passed.

SB 680 - (Harnett) Erwin tax discounts. Received from Senate; sent to Calendar Committee.
HB 615 - (Martin) Single shot voting. Reported unfavorably.
HB 1379 - (Northampton) School board pay. Passed.

UNNUMBERED HOUSE RESOLUTIONS

HR [F] (House Resolution) Introduced by Exum
"Directing the Legislative Research Commission to make or cause to be made a study of a statewide inspection and licensing program for child care facilities in North Carolina." [As title indicates; LRC to report findings and recommendations to 1969 General Assembly.] Passed.

HR [G] (House Resolution) Introduced by Beatty
"Requesting the Legislative Research Commission to study advisability of including domestic employees under minimum wage law." [As title indicates; LRC to report findings and recommendations to 1969 General Assembly.] Failed to pass..

BILLS RATIFIED

SB 371 - (Beaufort, Cabarrus, Gaston, Guilford, Johnston, Wake and Union) Animal abandonment, as amended in Senate 6/2 and in House 6/16. [Ch. 843]
SB 398 - Lloyds insurance associations. [Ch. 844]
SB 702 - (Edgecombe) Tarboro council referendum. [Ch. 845]
HB 116 - Emergency police sharing, (House committee substitute 4/6). [Ch. 846]
HB 214 - Joint tortfeasor contributions, as amended in House 4/12 and in Senate 6/9 and 6/19. [Ch. 847]
HB 227 - (Person) Alimony and support payments as amended in Senate 6/16. [Ch. 848]
HB 388 - (Yadkin) Board education appointment. [Ch. 849]
HB 389 - (Wilkes) Board of education. [Ch. 850]
HB 409 - Certifying absentee ballots, as amended in Senate 6/16. [Ch. 851]
HB 465 - 7% interest rate, (House committee substitute 5/1), as amended in Senate 6/5 and 6/14. [Ch. 852]
HB 544 - Realty broker licenses, as amended in Senate 6/16. [Ch. 853]
HB 594 - Vehicle liability coverage, (House committee substitute 5/17), as amended in House 5/17 and in Senate 6/16. [Ch. 854]
HB 609 - Interfamilial actions in State, as amended in Senate 6/16. [Ch. 855]
HB 616 - Charitable immunity no defense, as amended in Senate 6/16. [Ch. 856]
HB 691 - Car insurance, license penalty, as amended in House 5/16. [Ch. 857]
HB 717 - Pistol hunting rabbit, squirrel, as amended in Senate 6/19. [Ch. 858]
HB 753 - MD cancer report immunity, as amended in Senate 6/19. [Ch. 859]
HB 796 - Public contracts revision, as amended in House 5/17. [Ch. 860]
HB 907 - After acquired title, as amended in Senate 5/26. [Ch. 861]
HB 955 - MV judicial sale notice. [Ch. 862]
HB 956 - Auto manufacturers' certificates. [Ch. 863]
HB 959 - Joint stock ownership, (House committee substitute 6/8). [Ch. 864]
HB 967 - Charity amusement tax exempt. [Ch. 865]
HB 1033 - Proof of insurance repeals. [Ch. 866]
HB 1084 - Beer-wine sales to wholesalers. [Ch. 867]
HB 1086 - Local law officers authority. [Ch. 868]
HB 1102 - Preliminary hearing fees. [Ch. 869]
HB 1103 - Indigent juvenile counsel, as amended in House 6/9. [Ch. 870]
HB 1104 - Exempting firemen's funds. [Ch. 871]
HB 1108 - Garbage redefined. [Ch. 872]
HB 1111 - State highway claims. [Ch. 873]

HR 1113 - (Joint Resolution) Aging ad. val. tax exempt study. [R 69]
HB 1125 - (Wilson) Elm City school board vote, as amended in House 6/8. [Ch. 874]
HB 1134 - (Buncombe) School tax election, as amended in House 5/29. [Ch. 875]
HB 1137 - Oyster, clam leases. [Ch. 876]
HB 1140 - School bus transport. [Ch. 877]
HB 1142 - Natural seed oyster areas, as amended in House 6/12. [Ch. 878]
HB 1145 - County courthouse-jail tax. [Ch. 879]
HB 1152 - Adoption of adults, as amended in House 6/12. [Ch.880]
HB 1211 - (Mecklenburg) School board vacancies. [Ch. 881]
HB 1251 - (Moore) School board election, as amended in House 6/8. [Ch. 882]
HB 1256 - (Vance) Sheriff's fee. [Ch. 883]
HB 1293 - (Pender) Surf City, Topsail surfing. [Ch. 884]
HB 1303 - (Halifax) County comm's compensation. [Ch. 885]
HB 1323 - (Edgecombe) Jail fees. [Ch. 886]

Next session of House: 11:00 a.m., Thursday, June 22, 1967.

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BULLETIN NO. 97

Thursday, June 22, 1967

Session: Senate -- 12 noon

PUBLIC BILLS INTRODUCED -- SENATE

SR 723 - (Joint Resolution) Introduced by Maxwell
"Memorializing the life and achievements of Mrs. Margaret Berry Street." [As title indicates.] Passed three readings and sent to House.

LOCAL BILLS INTRODUCED -- SENATE

SB 724 - (Wake) Introduced by Coggins and Bailey
"To create a historic sites commission for the City of Raleigh; to define its duties; and to provide otherwise for the acquisition, restoration and preservation of historic sites and buildings." [Authorizes Raleigh City Council to appoint historic sites commission composed of not less than five members appointed to serve without compensation at pleasure of council for 2-year terms, and authorizes appointment of existing historic sites commission as commission authorized by act. Authorizes commission to recommend historic sites and take following action respecting historic sites: develop criteria, adopt ordinances and regulations, provide for restoration and operation, educate concerning, notify property owners of designation and intent to acquire, and revoke designation as historic sites. Prescribes content of ordinance designating such sites and procedures to be followed before such designation, including report on proposed sites and analysis of report by Department of Archives and History, joint public hearing by commission and council on ordinance, and notification to affected owners after adoption of ordinance and recordation of same. Provides that no building so designated may be materially altered (not including minor repairs or those required by public safety) without 60-day notice to Commission to enable acquisition by it. Authorizes city to acquire by fee simple or lease such sites from nontax funds available for that purpose, and to appropriate necessary nontax funds to commission for operation, acquisition, restoration, and preservation of such buildings and sites. Property acquired from Raleigh appropriations to be in name of city and other may be in name of city or commission or both. Permits council to proceed under this act or similar provisions of city charter.] To Calendar Committee.

SB 725 - (Cumberland) Introduced by Henley
"To amend GS 18-77, so as to regulate retail beer outlets in the City of Fayetteville." [Modifies cited section to prohibit governing body of Fayetteville from issuing retail beer licenses or permits until location of premises has been approved by State Board of Alcoholic Control. Authorizes Board to determine number of retail beer licenses or permits which shall be granted in any locality of city, and to consider number of licensed premises within locality, parking facilities, traffic conditions, crime rate in area, whether additional licensed premises would be inimical to morals or welfare of community in which premises located, recommendation

of city governing body, and any other factors as may appear sufficient to Board to warrant refusal of a retail beer license or permit in a particular locality within city.] To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 351 - Mineral claims, as amended in Senate 6/5 and House 6/16, 6/19 and 6/20. Received from House for concurrence in House amendments; concurred.

SB 465 - Water use controls (Senate committee substitute 6/21). Floor amendments adopted providing that act not to change relative rights of riparian owners concerning use of surface water in State (substitute referred to "non-consumptive" use of such water) and inserting standard clause repealing all conflicting laws. Passed second and third readings.

SB 466 - Well construction standards. Reported favorably as to Senate Committee Substitute. Committee substitute adopted making following changes in original bill: (1) Modifies definition of "well" by excluding a well constructed by individual on land owned or leased by him appurtenant to single family dwelling, and intended for domestic use. (2) Amends permit requirement of Section 6 to provide that Board shall not reject any well permit application except on ground that well would not be in compliance with Act or with regulations adopted pursuant to Section 5 of Act. (3) Amends provisions concerning use of wells for recharge, injection or disposal to add requirement for consultation with and recommendations from State Board of Health (before Board of Water Resources grants permission for recharge, injection or disposal). (4) Replaces original judicial review provisions of Act (judicial review under GS Ch. 143, Art. 33) with provision enacted in HB 356 (Board of Water & Air Reorganization), including Allsbrook amendment". (5) Amends provisions concerning hearings under Act to specify that hearings not held by full Board be held before a Board member or members or before qualified Board employee or employees (originally, before Board's authorized agent or agents). (6) Requires findings by Board (in lieu of various provisions for Board to "deem" Certain facts, etc.); specifies that various Board actions under Act must be "consistent with the provisions of this Act". (7) Deletes provision of original bill authorizing Board to issue declaratory judgments. (8) Eliminates provision of original bill which permitted Board to delegate its authority under Act to municipalities and certain State agencies. (9) Adds special severability clause providing that if grandfather clause of Act is held invalid as a "separate emolument or privilege", remainder of Act shall take effect without invalid provision. (10) Makes various clarifying amendments and changes effective date from July 1, 1967 to ratification.

SB 555 - Department of Corrections (Senate committee substitute 6/9), Reported favorably as amended.

SB 587 - Interstate motor carrier fee. Passed third reading.

SB 671 - New resident auto licensing. Reported favorably.

SB 713 - Driver license fees. Reported favorably.

SB 716 - School of Arts revenue bonds. Reported favorably.

SB 717 - Stealing secrets. Reported favorably.

SB 718 - Judicial discretion. Reported favorably.

SR 722 - (Joint Resolution) 1968 legislative session. Reported favorably as to committee substitute. Committee substitute adopted providing that General Assembly adjourn to reconvene on first Wednesday after first Monday in February 1968 at 12 noon (adds hour of convening) and referring to business of that Assembly as only "continuation of Regular Session of General Assembly

of 1967" (original provided for session of 21 days, with introduction of bills during first ten days, to be referred to a calendar committee and for recommendations from Advisory Budget Commission for appropriations.)

SR 723 - (Joint Resolution) Memorializing Street. Passed second and third readings.

HB 542 - Marriage record amendments (House committee substitute 6/13). Reported fav.

HB 543 - Notary public stamps, as amended in House 6/21. Received from House; sent to Calendar Committee.

HB 545 - Perpetual care cemeteries (House committee substitue 5/10), as amended in House 5/17. Amendment adopted changing from $25,000 to $15,000 the deposit required on application for license for establishment or operation of profit-making private cemetary. Floor amendment adopted, apparently intending to delete requirement that land proposed to be used for cemetery is free and clear of all encumbrances. Postponed to 6/26.

HB 546 - Burial ass'n ass'mt & bonds (House committee substitute 5/10). Postponed to 6/26.

HB 563 - Realty stamp tax. Reported favorably as amended.

HB 969 - Small watershed changes (House committee substitute 5/26), as amended in House 5/30. Reported favorably as amended.

HB 981 - Funeral expense priority. Received from House; sent to Calendar Committee.

HB 987 - Omnibus JP appointments, as amended in House 5/18. Reported favorably as amended.

HB 993 - Dam safety certification, as amended in House 6/9. Reported favorably as amended.

HB 995 - Well drilling changes (House committee substitute 6/8). Reported favorably as amended.

HB1092 - Firelighting deer evidence. Withdrawn from unfavorable calendar and re-referred to Calendar Committee.

HB1126 - Railroad track tampering. Reported favorably.

HB1127 - Injury to realty. Reported favorably.

HB1153 - Kiddy-ride privilege tax, as amended in House 6/2. Floor amendment adopted making Act applicable to charitable or non-profit organization or corporation (original refers to any person, firm or corporation) exhibiting only riding devices designed for children 12 or younger. Passed second reading.

HB1171 - Warehouse interstate property. Reported favorably.

HB1173 - Contract carriers permits. Reported favorably.

HB1174 - Contract carrier defined. Reported favorably.

HB1193 - Roadside junkyard control, as amended in House 6/20. Received from House; sent to Judiciary 2.

HB1194 - Highway beautification, as amended in House 6/21. Received from House; sent to Judiciary 2.

HB1195 - Billboard regulation, as amended in House 6/21. Received from House; sent to Judiciary 2.

HB1220 - Pers'l injury med'l report, as amended in House 6/14. Reported favorably.

HB1259 - Eminent domain counsel fees. Reported favorably.

LOCAL BILLS

SB 662 - (Granville) County board vacancies. Passed.

SB 695 - (McDowell) Soil and water conservation aid. Passed third reading.

HB 304 - (Rowan) Commissioner elections (House committee substitute 4/11). Reported favorably as amended. Amendment adopted providing that in 1970 general election three commissioners to be elected for 4-year terms and each two years thereafter commissioners to be elected at general election, (substitute provided that in 1970 election and each two years thereafter three

commissioners to be elected, with two candidates receiving highest vote to be elected for 4-year terms, and one receiving next highest vote to serve 2-year term; three commissioners to be elected every two years thereafter, with two receiving highest vote to serve 4-year term and one receiving lowest vote for 2-year term).

HB 564 - (Swain) Loose-leaf registration. Floor amendment adopted requiring Swain County Board of Elections to install a loose-leaf registration system prior to January 1, 1970 (original requires such change prior to 1968 primary election), and that registration begin at 9:00 a.m. on fifth Saturday before primary in 1970 (original 1968), and deleting requirement that county commissioners pay cost of establishing loose-leaf registration system and cost of new registration. Passed.

HB 731 - (Henderson) Additional employees. Amendment adopted providing that Act is not to invalidate SB 188, previously ratified (sheriff's deputies salaries).

HB 779 - (Beaufort) Drainage districts. Passed third reading.

HB 809 - (Alamance, Gaston, Orange) Ambulance service fees, as amended in House 5/5. Amendment adopted adding Anson, Caswell, Davie, Guilford, Rockingham and Surry to counties subject to Act (originally, Alamance, Gaston, Orange). Passed.

HB 1156 - (Wake) Raleigh franchises, as amended in House 6/2. Passed third reading.

HB 1176 - (Forsyth) Zoning amendment notice. Passed.

HB 1177 - (Forsyth) County contract procedure. Passed.

HB 1178 - (Forsyth) Dog regulation. Passed.

HB 1279 - (Dare) ABC enforcement funds change. Passed. Vote by which passed third reading reconsidered. Amendment adopted changing reference of chapter being amended by act from Ch. 612 of 1967 Session Laws to Ch. 318. Passed third reading.

HB 1280 - (Halifax) Enfield charter revision. Passed third reading.

HB 1286 - (Northampton) Tax collector duties. Passed.

HB 1287 - (Hertford) Como incorporation. Passed third reading.

HB 1291 - (Cumberland) Auditorium tax, as amended in House 6/14 and in Senate 6/21. Passed third reading.

HB 1322 - (Yadkin) Jonesville-Arlington merger. Floor amendment adopted deleting provision requiring election of councilmen and mayor by districts and providing that five councilmen and mayor be elected at large. Passed second reading.

HB 1333 - (Martin) Officials compensation. Passed.

HB 1334 - (Martin) Fox hunting season. Passed.

HB 1379 - (Northampton) School board pay. Received from House; sent to Calendar Committee.

Next session of Senate : 10:00 a.m. Friday, June 23, 1967.

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BULLETIN NO. 97
Thursday, June 22, 1967

Sessions: House -- 11:00 a.m. and 7:30 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE, 11:00 A.M. SESSION

HB 1402 - Introduced by Short and others
"To amend Chapter 852 of the Session Laws of 1967 relating to prepayment penalty only." [Amends Section 1 of cited Act (7% interest rate on home loans) to provide that loan pursuant to section may be wholly or partly prepaid with maximum prepayment penalty of 1% of principal balance at any time within three years after execution of note (now, at any time within one year after first principal payment).] To Calendar Committee.

HB 1406 - Introduced by Mohn
"To amend Chapter 15 of the General Statutes relating to bail bonds and bondsmen." [Adds new GS 15-109.1 requiring, in order to qualify for surety upon bail bond, presentation to and registration with Clerk of Superior Court of county where accused is charged of financial information, records, and inventories sufficient in clerk's opinion to insure compliance of defendant with bond.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE, 11:00 A.M. SESSION

HB 1401 - (Nash, Edgecombe) Introduced by Fenner, Eagles, and Barbee
"To amend G.S. 153-246 relating to joint administrative functions of contiguous counties and municipalities in Edgecombe and Nash Counties." [Modifies cited act to provide that authorization for municipalities of Nash and Edgecombe Counties to enter into agreements for joint administrative functions with those counties shall apply to local health departments, to permit formation of district health departments from those counties and Rocky Mount.] To Calendar Committee.

HB 1403 - (Clay) Introduced by McGlamery
"To provide for the nomination and election of the Board of Education of Clay County." [Identical with SB 706, digested in the Senate section of Bulletin No. 95, June 20, at page 968.] To Calendar Committee.

HB 1404 - (Hyde) Introduced by Burrus and Roberson
"To authorize the North Carolina Wildlife Resources Commission to regulate the daily shooting hours for waterfowl in Hyde County during the annual waterfowl season set by the Federal Government." [Provides as title indicates, subject to written recommendation of Director of US Bureau of Sport Fisheries and Wildlife. Not to apply to Ocracoke Island or waters within 10 miles of it.] To Calendar Committee.

HB 1405 - (Hyde) Introduced by Burrus and Roberson
"Conveying property owned by the former Town of Englehard to the County of Hyde." [As title indicates; property is that real and personal property known as Englehard Community Building and Library. Authorizes county to maintain, operate, use, and dispose of the property, as authorized for other property.] To Calendar Committee.

HOUSE CALENDAR ACTION -- 11:00 A.M. SESSION

PUBLIC BILLS

SB 69 - Congress Dist. Mills-Griffin, (Senate committee substitute 5/9). Reported favorably as amended; placed on calendar for 6/27.
SB 108 - Civil actions, illegitimates. Reported favorably as amended.
SB 400 - Marshland dredging, (Senate committee substitute 6/1), as amended in Senate 6/14. Passed third reading.
SB 411 - Fraudulent patient information, (Senate committee substitute 6/8). Reported favorably.
SB 414 - Annexation hearing. Reported favorably.
SB 482 - Coastal area insurance #II, (Senate committee substitute 6/9), as amended in Senate 6/14. Reported favorably as amended.
SB 511 - Foreign ins. co. treatment, (Senate committee substitute 6/7). Passed second and third readings.
SB 514 - Unauthorized insurers, (Senate committee subsitute 6/7). Passed second and third readings.
SB 516 - Title insurance, land guarantee. Passed second reading.
SB 517 - Watchmaking board, as amended in Senate 6/6 and in House 6/21. Floor amendment adopted to provide that act "shall not apply to those engaged in repairing remaking, refinishing, swapping, selling, purchasing, or reselling used watches and clocks." Passed third reading.
SB 537 - Alter & abandon NC roads, as amended in Senate 6/9. Reported favorably.
SB 549 - Minor's divorce suits. Amendment adopted to specify that those covered by act shall be infants "18 years of age or over." Passed second and third readings.
SB 559 - Vessel pilots' license. Reported favorably.
SB 578 - Psychologist licensing, as amended in Senate 6/9 and 6/14. Passed third reading.
SB 607 - Interstate mining compact, as amended in Senate 6/9. Reported favorably.
SR 632 - (Joint Resolution) LRC coastal insurance study. Reported favorably.
SB 651 - Family court counsellor powers. Reported favorably.
SB 652 - Small claim defendants. Reported favorably.
SB 679 - County land fill bonds. Received from Senate; sent to Calendar Committee.
SR 723 - (Joint Resolution) Memorializing Street. Received from Senate; passed second and third readings.

HB 30 - No campaigning at polls, (House committee substitute 6/21). Floor amendment adopted making technical correction. Passed second and third readings.
HB 151 - Widowers inheritance tax. Reported favorably as amended.
HB 176 - Wife's $2,000 exemption. Amendment adopted making act "effective on income earned after January 1, 1969" (original bill: "effective January 1, 1967, and shall apply to returns due after said date"). Passed second and third readings.
HB 541 - Uniform register of deeds fees. Reported favorably as amended.
HB 1007 - Employee meals tax break. Reported favorably.
HB 1036 - Dispenser tax changes. Postponed to 6/23.
HB 1067 - Securing charitable deposits. Tabled.
HB 1073 - Liquor tax distribution. Reported unfavorably.
HB 1076 - Credit card misuse. Amendments adopted making following changes: (1) Deletes false statements in regard to financial condition of another person, firm or corporation, from definition of falsely stated financial condition punishable under act. (2) Modifies presumption of criminal receipt of airline, railroad or steamship ticket to exclude circumstance where it is obtained from authorized agent of such company. (3) Makes clarifying change. Passed second reading.

HB 1077 - Pest control act of 1955, (House committee substitute 6/20). Passed third reading.

HB 1203 - Mortgage foreclosure notice. Reported favorably as amended.

HB 1233 - Subdivision control revisions. Reported favorably as amended.

HB 1234 - CATV franchises. Reported favorably as to committee substitute; committee substitute adopted making the following changes in original bill: (1) increases franchise limit from 15 to 20 years; (2) specifies that franchise taxes authorized by original bill are to be levied under GS 160-56 (general authority for town comm'rs to levy taxes); (3) deletes provisions relating to specific types of control that may be included in franchise and provisions for suspension and revocation; (4) adds proviso that state or federally regulated communication services rendered to cable TV system are not subject to act.

HB 1238 - 1% additional sales tax. Reported favorably as to committee substitute as amended; committee substitute adopted making following changes in original bill: (1) makes 1% surtax apply only to sales, transactions or uses now subject to 3% State tax; (2) specifies that distribution of proceeds go to counties and incorporated municipalities and that net proceeds be distributed; (3) adds new section authorizing counties and municipalities to use proceeds for any public purpose except that counties to spend at least half of proceeds for public schools; (4) adds provisions for submitting question of implementation of act to voters at 1968 general election in State; if majority of voters approve, surtax to be in effect on Jan. 1, 1969; if voters disapprove, act not in effect; (originally, effective date of act was Oct. 1, 1967).

HB 1248 - ABC tax for locals. Reported unfavorably.

HB 1269 - Blind-handicapped retirement. Reported favorably as to committee substitute as amended; committee substitute adopted deleting changes made by original bill subjecting certain blind employees to State Personnel System and directing Personnel Board to regulate classification of certain handicapped workers; providing that any funds exceeding $100,000 in original, "nonstate funds" exceeding $60,000) be transferred from Employment Bureau of Commission for Blind to State Treasurer. Provides for retention of remainder as reserve and operating capital fund to be expended under direction of Commission for Blind (new); provides that funds required to be paid to Treasurer shall be retained by him as separate fund for services to and for benefit of visually handicapped person on recommendation of Commission for Blind with approval of Governor and Director of Budget (new); and deletes provisions in original for transfer of retirement funds to Teachers and State Employees Retirement Fund and for transfer of coded accounts lodged with Treasurer, and making unlawful the accumulation of nonstate fund exceeding $60,000 by Employment Bureau of NC Commission for Blind.

HB 1271 - Abandoned vehicles disposal. Reported favorably.

HB 1297 - Felony-misdemeanor charges. Reported favorably as to committee substitute; committee substitute adopted to provide as follows: (1) defines felony as crime which was felony at common law, punishable by death or by imprisonment in State prison, or denominated felony by statute (original bill, only when so defined by common law or by statute); any other crime is misdemeanor; (2) makes felony punishable by fine or imprisonment for not over 10 years or both (original bill, only by not over 10 years' imprisonment), except when specific punishment prescribed by statute; (3) makes misdemeanor punishable by fine or imprisonment for not over 2 years or both, except when specific punishment prescribed by statute; (4) declares offense which is "infamous, done in secrecy and malice, or with deceit and intent to defraud" a felony, unless offense is conspiracy to commit misdemeanor or unless specific punishment is otherwise prescribed; (5) adds new GS 14-3.1 to provide that punishment prescribed by statute is deemed "specific" when punishable "in discretion of the court by fine, by imprisonment, by fine or imprisonment, by fine and imprisonment, or by fine or imprisonment or both."

HB 1304 - Gift tax advance payments. Postponed to 6/26.

HB 1305 - Foreign trust tax credit. Postponed to 6/26.
HB 1306 - Medical benefits tax exemption. Postponed to 6/26.
HB 1309 - $5,000 inheritance tax exemption. Postponed to 6/26.
HB 1310 - Retired service pay tax. Postponed to 6/26.
HB 1312 - Self-employed retirement tax. Reported favorably as amended.
HB 1313 - Abducting children. Reported favorably as amended.
HB 1340 - ABC wine-beer process. Reported favorably as amended.
HB 1373 - Chronic alcoholic laws. Reported favorably.
HB 1383 - Osteopathic practice amdts. Reported favorably.
HB 1386 - Gen. Stats. Comm'n appointee. Reported favorably.
HB 1387 - No fishing for judges. Reported unfavorably.
HB 1390 - Inspection warrants. Reported favorably as amended.

LOCAL BILLS

SB 276 - (Mitchell) County officials, as amended in Senate 5/4. Amendment adopted to delete section of act providing that fees collected by sheriff of Mitchell County, or his deputies, for performance of duties, to be paid to county general fund. Passed.
SB 353 - (Gaston) School consolidation, as amended in Senate 6/9. Passed third reading.
SB 626 - (Cumberland) Sheriff to dogs. Postponed indefinitely.
SB 657 - (Onslow) Jacksonville charter revision, as amended in Senate 6/13. Passed third reading.
SB 676 - (Wilkes) N. Wilkesboro land conveyance. Passed.
SB 677 - (Person) Roxboro land sale. Passed.
HB 1002 - (Jackson, Swain, Transylvania) Property tax listing. Passed.
HB 1249 - (Mecklenburg) Local sales tax, as amended in House 6/20. Passed third reading.
HB 1357 - (Person) Roxboro land sale. Postponed indefinitely.
HB 1370 - (Martin) Marking ballots. Passed.
HB 1388 - (Madison) School board election. Passed.

Recessed 1:30 p.m. to reconvene at 7:30 p.m.

HOUSE CALENDAR ACTION - 7:30 P.M. SESSION

PUBLIC BILLS

SB 465 - Water use controls, (Senate committee substitute 6/21), as amended in Senate 6/22. Received from Senate; sent to Calendar Committee.
SB 563 - Regional universities and ECU, as amended in Senate 6/20. Reported favorably.
SB 587 - Interstate motor carrier fee. Received from Senate; sent to Calendar Committee.
SB 631 - Art Museum Bldg. Comm'n, as amended in Senate 6/16. Reported favorably.

HB 1198 - CSC employee sick leave, (House committee substitute 6/15). Floor amendment adopted to: (1) include "court reporters of the Superior Court" among those covered by act upon change of status from county to State employees; (2) delete word "clerical" from description of "other employees" (original bill, "other clerical employees") covered by act upon change of status from municipal or county to State employees. Passed second and third readings.
HB 1202 - Utilities Commission appeals. Passed second and third readings.
HB 1214 - Dormant carrier franchises. Postponed to 6/26.
HB 1215 - Transferred carrier franchises. Postponed to 6/26.
HB 1216 - Exempt motor carriers. Postponed to 6/26.
HB 1222 - Retirement system investments, (House committee substitute 6/13). Amendment adopted to make it discretionary with Board of Trustees of Teachers' and State Employees' Retirement System whether it will retain services of

investment counseling firm in carrying out duties under GS 137-7(a) (original bill, board was "directed" to employ such firm). Passed second and third readings.

HR 1223 - (Joint Resolution) Minimum TSER pensions. Amendment adopted to provide that appropriations necessary to provide benefits specified in act shall be calculated by Board of Trustees of the Teachers' and State Employees' Retirement System and presented to 1969 retirement committees of General Assembly (originally, by Director of TSERS and presented to retirement committees of "this" Legislature). Passed second and third readings.

HB 1240 - County and municipal voting. Passed second and third readings.

HB 1260 - Nursing direct payments. Passed second and third readings.

HB 1269 - Blind-handicapped retirement, (House committee substitute 6/22). Amendment adopted to (1) provide that funds required under act to be deposited with State Treasurer other than reserve fund allowed shall be invested and income from corpus shall inure to sole benefit of NC State Commission for the Blind; (2) Provides that "income and corpus" (original bill, "such funds") of money paid over to Treasurer shall be expended for services to and benefit of visually handicapped.

HB 1270 - Non-state funds report. Floor amendment adopted to provide that report required of State Auditor under act shall show "cash balances" (original bill, "source or sources") of accumulated non-State funds held by any State department, agency, institution, board or commission, and deletes requirement that report show bank or other depository wherein such funds are held. Passed second and third readings.

HB 1288 - Private parking place changes. Amendment adopted to specify that no person shall be liable in civil or criminal action to any owner or other person entitled to possession of vehicle covered by act for "non-negligent" towing or removal under provisions of act (adds quoted words). Passed second and third readings.

HB 1289 - Abandoned vehicles changes. Amendment adopted to: (1) to delete leaving vehicle on "any public street or highway" for period of not less than 24 hours from definitions of vehicle abandonment; (2) adds circumstance of leaving vehicle on any public street or highway of municipality for not less than seven days to definitions of vehicle abandonment. Passed second and third readings.

HB 1295 - Redefining slot machines. Passed second and third readings.

HB 1311 - Manufacturers' inventory tax. Passed second and third readings.

HB 1315 - Fishing near ocean piers. Passed second and third readings.

HB 1318 - Newspaper dispenser tax exempt. Amendment adopted to delete provision of act specifically exempting sale of newspapers by "newspaper dispensers and vending machines" from retail sales and use tax imposed by GS 105, Art. 5. Passed second and third readings.

HB 1319 - New truck safety belts. Floor amendment adopted to specify that "truck" as used in act shall not include truck tractors or road tractors as defined in GS 20-38. Passed second reading.

HB 1358 - School lunch operating cost. Reported favorably.

HB 1372 - Joint local recreation facils. Reported favorably.

HB 1400 - UCC double indexing. Reported favorably.

LOCAL BILLS

SB 222 - (Wilkes) Surveyor registration. Floor amendment adopted to provide that certificate issued under act shall be valid only until July 1, 1968. Passed third reading.

SB 369 - (Stanly) Surveyor registration. Passed third reading.

SB 662 - (Granville) County board vacancies. Received from Senate; sent to Calendar Committee.

SB 695 - (McDowell) Soil and water conservation aid. Received from Senate; sent to Calendar Committee.

HB 731 - (Henderson) Additional employees, as amended in Senate 6/22. Received for concurrence in Senate amendment (passed Senate 6/22); concurred.
HB 1279 - (Dare) ABC enforcement funds change, as amended in Senate 6/22. Received for concurrence in Senate amendment; concurred.
HB 1291 - (Cumberland) Auditorium tax, as amended in House 6/14 and Senate 6/21. Received for concurrence in Senate amendment; concurred.

BILLS RATIFIED

SB 340 - (Craven) School board election (Senate committee substitute 6/9). [Ch. 887]
SB 367 - (Johnston) Four Oaks annexation, as amended in House 6/2 and 6/13. [Ch. 888]
SB 582 - (Halifax) Roanoke Rapids retirement. [Ch. 889]
SB 617 - Coastal fisheries self-assessment, as amended in Senate 6/9. [Ch. 890]
SB 637 - (Cherokee) Andrews ABC election. [Ch. 891]
HB 356 - Water-air resources board, (House committee substitute 5/16), as amended in Senate 6/9 and 6/14. [Ch. 892]
HB 865 - (Lincoln) School merger election, (House committee substitute 6/8). [Ch. 893]
HB 931 - Livestock markets revision, as amended in House 5/26, as amended in Senate 6/19. [Ch. 894]
HB 948 - (Forsyth) Winston-Salem condemnation. [Ch. 895]
HB 1016 - Dying declarations, as amended in House 6/2. [Ch. 896]
HB 1236 - (Carteret) School board appointment. [Ch. 897]
HB 1246 - Welfare board appointment, as amended in House 6/14. [Ch. 898]
HB 1255 - (Vance) Jurors fees. [Ch. 899]
HB 1264 - (Alexander, Burke, Caldwell) Home tax rule. [Ch. 900]
HB 1266 - (Brunswick) Officials' salaries. [Ch. 901]
HB 1290 - (Macon) Nat. Forest funds use. [Ch. 902]
HB 1298 - (Hertford) Sheriff-weapons permits. [Ch. 903]
HB 1320 - (Carteret) Property tax listing. [Ch. 904]

Next session of House: 10:00 a.m., Friday, June 23, 1967.

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DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 98

Friday, June 23, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SR 726 - (Joint Resolution) Introduced by Futrell and Burney
"Directing the Legislative Research Commission to study certain water resources laws, and to report its findings and recommendations to the 1969 General Assembly." [As title indicates; directs LRC to study and report to 1969 Assembly: (1) water resources legislation proposed and enacted by 1967 General Assembly, experience in applying such legislation and need for further legislation in light of experience; (2) need for recodification of any water resources legislation enacted by 1967 General Assembly and of other water resources legislation; and (3) need for legislation providing for special master or hearing officer procedure for proceedings preliminary to orders and determinations of State Board of Water and Air Resources.] To Calendar Committee.

SB 727 - Introduced by Allsbrook
"To amend G.S. 18-51.1, so as to exempt State premises from certain permit fees." [Amends cited section as codified in SL 1967, Ch. 222 (SB 2) to exempt State premises from fees charged by State Board of Alcoholic Control for permits issued under GS 18-51(7) (Permits) to State for any premises operated by State. (Now, only county or municipal premises exempted).] To Calendar Committee.

SB 728 - Introduced by Warren
"To amend the Statutescreating the State Education Assistance Authority, being G.S. 116-201 to 116-209 of the 1965 cumulative supplement, by adding provisions authorizing such authority to issue its revenue bonds for student loan purposes, fixing the terms and description and providing for the security and payment of such bonds and authorizing the investment of bond proceeds and other funds." [Adds to GS Ch. 116, Art. 23 provisions enlarging powers of State Education Assistance Authority with respect to facilitating and promoting student loans and developing and administering programs related thereto. Provides for establishment of State Education Assistance Authority Loan Fund (Loan Fund)as a revolving fund to be used by Authority in making loans directly, or through agents or independent contractors, insuring student loans, acquiring, purchasing, endorsing or guaranteeing promissory notes, contracts, obligations or other legal instruments evidencing student loans made by banks, educational institutions, nonprofit corps or other lenders and for defraying administrative expenses of Authority for which funds not otherwise available. Authorizes Authority to issue revenue bonds in aggregate amount not over $12,500,000. Authority authorized to pledge all income, receipts, funds or other assets, exclusive of bond proceeds and other funds required to be deposited to credit of Loan Fund as security for its bonds. Provides certain guidelines for management of sinking fund; provides that bond issue subject only to provisions of act and of authorizing resolution. Provides that bond resolution may contain provisions for protecting and enforcing rights and remedies of bondholders; expenses of carrying out resolution

may be treated as an administrative cost properly payable out of Loan Fund. Establishes that it is lawful for bank or trust company serving as depository of bond proceeds to furnish indemnifying bonds or to pledge such securities as required by Authority. Authorizes to govern various matters pertaining to revenue and provides that pledge of assets to sinking fund binding against all parties having claims of any kind against Authority whether or not such parties have notice. All money received by Authority pursuant to act are trust funds to be held and applied solely as provided in act; money received pursuant to act may be temporarily invested prior to disbursement and institution or officer with whom deposited to act as trustee thereof. Holders of bonds entitled to normal remedies as set out and all revenue bonds and interest coupons appertaining thereto are made negotiable instruments. Makes Authority bonds legal investments for public officers and bodies of State and its political subdivisions, all insurance companies, trust companies, banking associations, investment companies, executors, administrators, trustees and other fiduciaries. Authority additionally authorized to pledge as security for bonds any contract between US under which US agrees to make funds available to Authority for purposes of act. Bonds are not pledge of credit of State or any political subdivison thereof; bonds are required to state that Authority not obligated to pay bonds except from revenue, proceeds and other funds pledged therefor. Bonds, and income and profit thereform are free from tax by State or local authorities excepting inheritance and gift taxes. Authority required to make annual report at close of each fiscal year to Governor and General Assembly; books of Authority to be examined at least annually by State Auditor or c.p.a.'s. Authority authorized to merge into Loan Fund trust fund established by GS 116-209 (present fund of Authority), to credit and purposes of Loan Fund all assets and resources of such trust fund. Makes additional definitions pertinent to Art. 23; provides that provisions of act in conflict with present Art. 23 to prevail.] To Calendar Committee.

SB 729 - Introduced by Greene and Wood

"Amending G.S. 105-297, relating to the exemption of personal property from taxation so as to exempt certain agricultural commodities." [Rewrites G.S. 105-297(18) (exemptions of personal property from taxation) to provide that all agricultural commodities grown in North Carolina and stored in unmanufactured state, owned or held by one other than a processor of commodity upon which there is money borrowed and secured by mortgage on commodity, shall be so exempt for year following year of growth (now, provision applies only to wheat).] To Calendar Committee.

SB 730 - Introduced by Allsbrook and MacLean

"To make the provisions with regard to the investment of proceeds of the sale of remainders the same as the provisions for the investment of the proceeds of the sale of property held by a class having members not yet in being." [Amends GS 41-11 (relating to sale, lease, or mortgage of property by special proceeding when all interests in property have not been determined because of interest by one not yet in being or because determining contingency has not yet occurred) to provide that court may authorize temporary reinvestment of funds derived from such sale to be made in accordance with law of NC relating to investment of funds held by guardians and minors and GS 36-4 provisions (reduction in bonds of guardians and trustees upon certain investments in securities and deposit of them with CSC). Those appointed by court to hold such funds shall pay to life tenant and owner of vested interest in lands only income from investment, with principal to be held subject to final reinvestment and to such expense as provided in section (provision replaced by amendment permits more limited investments in Federal and State obligations and makes no reference to conformance with laws relating to investment of funds by guardians). Act not to invalidate any investment made under present GS 41-11.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- SENATE

None.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 183 - Technical changes-revenue laws. Reported favorably as to committee substitute; committee substitute adopted providing as follows: (1) deletes provision that in determining total tax payable by railroad company, credit to be allowed on amount of intangible tax paid during preceding franchise tax year on bank deposits; (2) rewrites GS 105-122 to provide that every domestic or foreign corporation domesticated under laws of NC or doing business in NC must by the 15th day of third month following end of its income year annually deliver to Commissioner of Revenue a report containing facts and information required by Commissioner as shown by records of corporation at close of income year, and sets out form for affirmation of such return; (3) deletes that portion of GS 105-122(c)(1) referring to "last preceding income period ending more than 90 days prior to due date of return required under article"; (4) deletes provision removing from GS 105-122 requirement that tax be payable "under GS 105-115"; (5) provides that corporations subject to provisions of section pay $10 franchise when return is due, for period from date of incorporation, domestication or commencement of business in State through last day of then current incom year, but in no case to exceed 53 weeks (original, provides that such franchise tax due from "commencement of business in State through June thirtieth next following"); (6) deletes definition of "doing business" as any act, or engaging in any activity operation or enterprise for purpose of financial profit or gain and/or ownership, renting or leasing of property for such purposes; (7) deletes provision that if Commissioner fines from clear, cogent evidence that any corporation's net income for any year as apportioned or allocated to State is substantially less than is reasonabl attributable to corporation's business in State, he may require corporation to compute its net taxable income to State on basis of a separate accounting of its income and expenses attributable to its business in State; (8) adds new GS 105-141(b)(12)to include ingross income amounts received by members of Armed Services as hostile fire duty pay as authorized by Public Law 88-132 enacted by Congress Oct. 2, 1963; (9) deletes GS 105-142 (g)(3)d pertaining to individual who removes himself from State who must report for income tax purposes any unrealized or unreported income from installment sales (original, only deleted provision requiring such individual to file return in given year "unless such individual files a bond with Commissioner of Revenue in such amount and with such sureties as Commissioner deems necessary to secure the payment of any taxes which were deferred"), (10) amends GS Ch. 105, Art. 36B by adding new GS 105-449.24 to provide that provisions of GS 105-439, -446.1 and -449 relating to exemption from, and rebates and refunds of tax levied on gasoline shall also apply to taxes on special fuels, (11) by changing effective date of bill section 13 (intangibles tax amendments) from July 1, 1968 to July 1, 1967; (12) makes several technical and conforming changes.

SR 295 - (Joint Resolution) Teacher salary priority. Withdrawn from Education; re-referred to Calendar Committee.

SB 382 - Free teacher summer learning. Withdrawn from Education; re-referred to Calendar Committee.

SB 465 - Water use controls, (Senate committee substitute 6/21) as amended in Senate 6/22 and House 6/23. Received for concurrence in House amendment; concurred.

SB 466 - Well construction standards, (Senate committee substitute 6/22). Passed second and third readings.

SB 486 - Impounding abandoned vehicles, (Senate committee substitute 6/21). Passed second and third readings.

SB 517 - Watchmaking Board, as amended in Senate 6/6 and House 6/21 and 6/22. Received for concurrence in House amendment; concurred.

SB 534 - Auto dealer amendments. Amendment adopted requiring that violations of cited sections be willful and intentional and deleting violations of GS 20-79.1 and GS 20-110(c) as grounds for denying or suspending or revoking license under GS 20-294. Passed second and third readings.

SB 549 - Minor's divorce suits, as amended in House 6/22. Received for concurrence in House amendment; concurred.

SB 555 - Department of Corrections, (Senate committee substitute 6/9). Amendments adopted setting limit upon prisoners' wages at not more than $1 per day. Floor amendments adopted adding provision that it is intent of Art. 3A (facilities and programs for youthful offenders) to provide courts with an additional sentencing possibility to be used in court's discretion for correctional punishment and treatment in cases where, in opinion of court, youthful offender requires period of imprisonment, but no longer than necessary for Board of Paroles to determine that offender is suitable for return to freedom and is ready for period of supervised freedom as step toward unconditional discharge and restoration of rights of citizenship; and adding qualification that Commissioner of Correction may contract with various governmental officials for confinement in State prison facilities of federal prisoners after they have been sentenced (original, referred only to federal prisoners). Passed second reading.

SB 564 - Airport property tax exemption. Passed second and third readings.

SB 565 - Sales tax refunds for airports. Passed second and third readings.

SB 588 - Marking motor carriers. Passed second and third readings.

SB 589 - Utilities laws publication. Passed second and third readings.

SB 590 - Natural gas pipeline safety. Amendment adopted requiring interstate natural gas companies and interstate pipeline carriers operating interstate natural gas pipelines and all intrastate natural gas utilities to file with Commission copies of construction, operation and maintenance standards and procedures and any other information necessary to show compliance with safety standards promulgated by Commission, and that if Commission believes any such company not in compliance with safety standards it shall, after notice and hearing, order companies to take proper measures to comply with such standards (original requires designated companies to report all accident prevention measures taken to prevent accidents with Commission authorized to take necessary steps to order changes in operation or gas pressures maintained in lines), and making technical and clarifying changes. Passed second and third readings.

SB 591 - Exempt carrier safety rules. Floor amendment adopted providing that only motor carriers transporting passengers for compensation be subject to minimum standards of security set out in act (original, referred to transporting passengers or property carriers). Passed second and third readings.

SB 592 - Excursion vehicle repealer. Passed second and third readings.

SB 646 - Insurance co. stock purchase. Postponed to 6/26.

SB 655 - Henderson Co. extension unit. Reported favorably.

SB 666 - Parks-forest study comm'n. Postponed to 6/26.

SB 671 - New resident auto licensing. Passed second and third readings.

SB 686 - Fraudulent license procurement. Postponed to 6/27.

SB 687 - Issuing subpoena duces tecum. Passed second and third readings.

SB 693 - Hwy. Patrol longevity pay. Postponed to 6/26.

SB 694 - Meals for sequestered jurors. Passed second and third readings.

SR 696 - (Joint Resolution) LRC Public Safety Dept. Study. Passed second and third readings.

SR 698 - (Joint Resolution) Bird dog field trials. Reported favorably.

SB 703 - Military base Sunday hunting. Passed second and third readings.

SB 707 - Inheritance tax refunds. Passed second and third readings.

SB 708 - Motor vehicles record fees. Passed second and third readings.

SB 709 - Vehicle dealers licenses. Passed second and third readings.
SB 713 - Driver license fees. Postponed to 6/26.
SB 716 - School of Arts revenue bonds. Passed second reading.
SB 717 - Stealing secrets. Passed second and third readings.
SB 718 - Judicial discretion. Floor amendment adopted providing that exercise of judicial discretion be based upon sound legal reasons (original, only specified "sound reasons").
SR 722 - (Joint Resolution) 1968 legislative session, (Senate committee substitute 6/22). Postponed to 6/27.

HB 30 - No campaigning at polls, (House committee substitute 6/21), as amended in House 6/22. Received from House; sent to Calendar Committee.
HB 43 - Judicial sales changes, as amended in House 5/5. Reported favorably.
HB 119 - Local bond absentee voting, (House committee substitute 6/14), as amended in House 6/15. Passed second and third readings.
HB 142 - Securities law exemption, (House committee substitute 4/25). Reported favorably as amended.
HB 176 - Wife's $2,000 exemption, as amended in House 6/22. Received from House; sent to Finance.
HB 310 - State trademarks, as amended in House 6/19. Reported favorably as amended.
HB 320 - Unsecured bail bonds II, as amended in House 5/30. Floor amendment adopted adding provision that act not to be construed as requiring any person accused to be released without bail. Placed on calendar 6/26.
HB 321 - Pay for aged care. Placed on calendar 6/26.
HB 334 - 10¢ alcoholic rehab. II, (House committee substitute 5/26), as amended in House 5/30. Reported favorably.
HB 343 - Protecting bears. Passed second and third reading.
HB 456 - Education Assistance changes. Passed second and third readings.
HB 505 - Fiduciary's allocating expense. Passed second and third readings.
HB 542 - Marriage record amendments, (House committee substitute 6/13). Passed second and third readings.
HB 543 - Notary public stamps, as amended in House 6/21. Reported favorably.
HB 558 - 18-year school attendance, as amended in House 6/13. Reported favorably as amended.
HB 560 - Mental hospital accounts, as amended in House 5/29. Passed second and third readings.
HB 561 - Mental hospital lien, as amended in House 5/29 and 6/1. Passed second and third readings.
HB 562 - Mental hospital death lien, as amended in House 6/1. Passed second and third readings.
HB 563 - Realty stamp tax. Amendments adopted to provide as follows: (1) adds to GS 105-228.31 provision authorizing register of deeds of any county to affix stamps by meter or other similar device in accordance with procedures established by Commissioner of Revenue, uniform in size and design and in form determined by Commissioner with cancellation as provided by act not required; (2) provides that tax be paid to county where greater part of real estate with respect to value lies (original, refers only to wherein greater part of real estate lies); (3) deletes provision that all conveyances subject to tax shall at time of presentation for recording have statement attached thereto indicating amount of liens and encumbrances at time of sale; (4) adds provision that taxes be recoverable after demand has been made by register of deeds on behalf of county (original, refers simply to a demand being made); (5) deletes GS 105-228.33 relating to transferee liability; (6) makes technical and conforming changes. Passed second reading.

HB 604 - Epileptic drivers licensing (House committee substitute 5/23). Passed second and third readings.

HB 618 - Domestic relations warrants. Passed second and third readings.

HB 918 - Numbered legislative seats, as amended in House 6/9 and 6/12. Reported favorably as to committee substitute; substitute adopted providing that GS 163-117 be added to SL 1967, Ch. 775 (HB 146) and changing GS sections in section 1 of act to conform to sections in HB 146, codified in SL 1967, Ch. 775 (HB 146). Amends GS 163-106(d) as it appears in HB 146 by adding to it provisions of original GS 163-147.1 entitled "Candidates for State Senate and House of Representatives to specify seat sought" and making conforming changes in GS sections. Amends GS 163-109(c) as it appears in HB 146 by adding to it provisions amending original GS 163-124. Deletes provision amending GS 163-119 requiring that each candidate for membership in State Senate and House in senatorial and representative districts entitled to more than one seat file with notice for candidacy, a notice with appropriate county board of elections designating by number Senate or House seat to which he seeks nomination. Exempts following House districts from Act: 5, 13, 17, 19, 23, 24, 26, 27, 31, 33, 35, 36, 38, 39, 40, 41, 42, and 47. Exempts following Senate districts: 4, 8, 11, 12, 14, 18, 22, 23, 24, 26, 29, and 31.

HB 969 - Small watershed changes (House committee substitute 5/26), as amended in House 5/30. Amendments adopted providing as follows: (1) that first installment of principal of bonds or other obligations issued under section may be made payable not more than 10 years after date of bonds or obligations (originally, did not specify "first" installment); (2) adds conforming provision on bond provisions; (3) adds to definition of local water supplies that facility financed under section "initially" (adds quoted term) include service to domestic or "any other" domestic water supply customers (adds quoted words); (4) adds provision that authority granted in act is supplemental and additional to any other authority granted by law relating to watershed improvement programs either by general or special law; (5) makes technical and clarifying changes.

HB 993 - Dam safety certification, as amended in House 6/9. Postponed to 6/26.

HB 995 - Well drilling changes (House committee substitute 6/8). Postponed to 6/26.

HB 996 - Water use information (House committee substitute 6/8). Postponed to 6/26.

HB 997 - Flood plain management. Postponed to 6/26.

HB 1041 - Auto license denial and hearing. Passed second and third readings.

HB 1048 - Big game animals, as amended in House 6/16. Reported favorably.

HB 1077 - Pest control Act of 1955 (House committee substitute 6/20). Received from House; sent to Calendar Committee.

HB 1092 - Firelighting deer evidence. Reported favorably.

HB 1097 - Motor vehicle rear lamps (House committee substitute 5/30). Reported favorably as amended.

HB 1153 - Kiddy-ride privilege tax, as amended in House 6/2 and Senate 6/22. Passed third reading.

HB 1163 - Trip licenses. Reported favorably.

HB 1198 - CSC employee sick leave (House committee substitute 6/15), as amended in House 6/22. Received from House; sent to Calendar Committee.

HB 1202 - Utilities Commission appeals. Received from House; sent to Calendar Committee.

HB 1222 - Retirement system investments (House committee substitute 6/13), as amended in House 6/22. Received from House; sent to Calendar Committee.

HR 1223 - (Joint Resolution) Minimum TSER pensions, as amended in House 6/22. Received from House; sent to Calendar Committee.

HB 1240 - County and municipal zoning. Received from House; sent to Calendar Committee.

HB 1270 - Non-state funds report, as amended in House 6/22. Received from House; sent to Calendar Committee.

HB 1288 - Private parking place changes, as amended in House 6/22. Received from House; sent to Calendar Committee.
HB 1289 - Abandoned vehicles changes, as amended in House 6/22. Received from House; sent to Calendar Committee.
HB 1295 - Redefining slot machines. Received from House; sent to Judiciary 2; reported favorably.
HB 1311 - Manufacturers inventory tax. Received from House; sent to Calendar Committee.
HB 1315 - Fishing near ocean piers. Received from House; sent to Calendar Committee.
HB 1318 - Newspaper dispenser tax exempt, as amended in House 6/22. Received from House; sent to Finance.

LOCAL BILLS

SB 222 - (Wilkes) Surveyor registration, as amended in House 6/22. Received for concurrence in House amendment; concurred.
SB 276 - (Mitchell) County officials, as amended in Senate 5/4 and House 6/22. Received for concurrence in House amendment; put on calendar 6/26.
SB 293 - (Madison) School board elections. Withdrawn from Education; re-referred to Calendar Committee.
SB 701 - (Halifax) Roanoke Rapids Charter. Passed third reading.
SB 704 - (Mitchell) Officials compensation. Passed.
SB 714 - (Harnett) Board of education conveyance. Passed.
SB 720 - (Gaston) Regional planning commission. Passed.

HB 304 - (Rowan) Commissioner elections, (House committee substitute 4/11), as amended in Senate 6/22. Passed.
HB 636 - (Alamance) School superintendent term. Recalled from Education; re-referred to Calendar Committee.
HB 706 - (Gaston) Cramerton incorporation, as amended in House 6/7 and in Senate 6/21. Passed third reading.
HB 724 - (Rowan) School board election, (House committee substitute 6/7). Recalled from Education; re-referred to Calendar Committee.
HB 732 - (Davie) School board election, (House committee substitute 6/7). Recalled from Education; re-referred to Calendar Committee.
HB 817 - (Henderson) School board election. Recalled from Education; re-referred to Calendar Committee.
HB 883 - (Caldwell, Alexander) Ad valorem inventory valuation. Passed.
HB 1002 - (Jackson, Swain, Transylvania) Property tax listing. Received from House; sent to Calendar Committee.
HB 1139 - (Rockingham) One big city, as amended in House 6/13. Passed third reading.
HB 1239 - (Forsyth) CSC small estates admin. Passed.
HB 1249 - (Mecklenburg) Local sales tax, as amended in House 6/20. Received from House; sent to Calendar Committee.
HB 1322 - (Yadkin) Jonesville-Arlington merger, as amended in Senate 6/22. Passed third reading.
HB 1370 - (Martin) Marking ballots. Received from House; sent to Calendar Committee.
HB 1388 - (Madison) School board election. Received from House; sent to Calendar Committee.

Next session of House: 9:00 a.m., Saturday, June 24, 1967 for consideration of local bills only.
7:00 p.m., Monday, June 26, 1967.

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BULLETIN NO. 98
Friday, June 23, 1967

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1408 - Introduced by Stanford and others
"To amend the public school laws relating to the preparation of school budgets." [Rewrites part of GS 115-80(a) to provide that "notwithstanding any other provisions of this Chapter" (adding quoted words) when necessity is shown by county and city boards of education, or peculiar local conditions demand, for adding items of expenditure in the current expense fund (now, "current expense fund provided by the State"), "including additional personnel and/or supplements to the salaries of personnel," (adding quoted words) the board of county commissioners may approve, in whole or part, any requested expenditures and tax levy therefore.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1407 - (Macon) Introduced by McGlamery
"Providing for the non-partisan election of the County Board of Education of Macon County." [Provides that Macon County Board of Education shall consist of three members who shall be elected in accord with provisions of GS Ch. 163 at time of general election for county officers on separate ballot which shall not indicate party affiliation of candidates. Nomination shall be by non-partisan filing of candidacy and payment of $5 filing fee. One member shall be elected in 1968 and biennially thereafter to 6-year term. All members of existing board who are in office and acting as members prior to first Monday in April, 1969, shall complete their respective terms of office. Vacancies occurring by reason of death, resignation, or otherwise to be filled for unexpired term by remaining members of board with such vacancy to be filled by Governor if board does not do so within 10 days.] To Calendar Committee.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 33 - Education board elections, (Senate committee substitute 6/7), as amended in Senate 6/12. Postponed to 6/27.
SB 108 - Civil actions, illegitimates. Amendment adopted to strike out all of GS 49-14, created by act, relating to medical and funeral expense responsibilities of putative father with regard to illegitimate child; to add to portion of act concerning civil action to establish paternity, a provision that when paternity has been established, father becomes responsible for medical expenses incident to pregnancy and birth; and to renumber sections of act.
SB 175 - Drilling, boring records, as amended in Senate 5/25. Passed second and third readings.
SB 267 - Diver's flag. Floor amendment adopted making technical deletion and renumbering sections of act. Tabled.
SB 386 - ABC tax prohibition, as amended in Senate 5/25. Postponed to 6/26.
SB 405 - Welfare Department adoption, as amended in Senate 5/16. Passed second and third readings.
SB 410 - Counsel fees, insurance suits, as amended in Senate 5/31. Passed second and third readings.
SB 411 - Fraudulent patient information, (Senate committee substitute 6/8). Floor amendment adopted correcting spelling error. Passed second and third readings.
SB 412 - Hospital patient statement, (Senate committee substitute 6/6). Passed second and third readings.

SB 414 - Annexation hearing. Passed second and third readings.
SB 425 - Administrative procedures, as amended in Senate 6/7. Passed second and third readings.
SB 428 - Unused license plate refund. Reported favorably.
SB 440 - Unclaimed clothing changes. Passed second and third readings.
SB 441 - Redevelopment changes, as amended in Senate 6/7. Passed second and third readings.
SB 465 - Water use controls, (Senate committee substitute 6/21), as amended in Senate 6/22. Reported favorably as amended; placed on today's calendar. Amendment adopted relating to provisions for water use permits within capacity use areas, providing that Board to consider same factors in modifying or revoking permits as in granting same. Passed second and third readings.
SB 476 - Minor's auto insurance, as amended in Senate 6/2. Passed second and third readings.
SB 482 - Coastal area insurance #II, (Senate committee substitute 6/9), as amended in Senate 6/14. Postponed to 6/26.
SB 515 - Insuring out-of-state, (Senate committee substitute 6/7). Passed second and third readings.
SB 516 - Title insurance, land guarantee. Passed third reading.
SB 527 - Plant pest inspection, as amended in Senate 5/26. Passed second reading.
SB 528 - Insurance company acquired. Passed second and third readings.
SB 536 - Highway official titles. Postponed to 6/28.
SB 537 - Alter & abandon NC roads, as amended in Senate 6/9. Postponed to 6/28.
SB 538 - Bi-state road cooperation. Postponed to 6/28.
SB 542 - Fraternal society benefits. Amendment adopted to replace original bill with provision that Commissioner of Insurance may, upon investigation, authorize payment of death benefits not exceeding $1,500 to any one person (original bill raised from $500 or $1500 the amount of death benefits to one person that may be paid by association of local lodges without being subject to Article 28 of Insurance Law, on Fraternal orders). Passed second and third readings.
SB 559 - Vessel pilots' license. Passed second and third readings.
SB 563 - Regional universities and ECU, as amended in Senate 6/20. Postponed to 6/28.
SB 566 - Cities' travel expense payment. Passed second and third readings.
SB 571 - Insurance--power of attorney. Passed second and third readings.
SB 579 - Fed. S& L share guarantee. Passed second and third readings.
SB 603 - Ad. val. tax appraisal review. Passed second and third readings.
SB 604 - Substitute trustee validation, as amended in Senate 6/9. Passed second and third readings.
SB 607 - Interstate mining compact, as amended in Senate 6/9. Passed second and third readings.
SB 609 - Local tax refund cutoff. Postponed to 6/26.
SB 610 - Non-resident trustee agents, as amended in Senate 6/9. Passed second and third readings.
SB 611 - Next of kin definition. Passed second and third readings.
SB 612 - Probate by service spouses. Passed second and third readings.
SB 613 - Corporate merger registration. Passed second and third readings.

HB 117 - Creek designation. Reported favorably as amended.
HB 151 - Widowers inheritance tax, amendment adopted making act effective June 30, 1969 (originally, June 30, 1967) to apply to persons dying on and after July 1, 1969 (originally, July 1, 1967). Passed second reading.
HB 541 - Uniform register of deeds fees. Amendment adopted repealing GS 161-10.1 (pertaining to local variations to fees of registers of deeds) and deleting specific repeal of GS 161-10 (relating to fees of registers of deeds generally which bill itself purports to rewrite); specifically excludes GS 153-9 (12A) (relating to powers of county commissioners to fix fees charged by county officers, including registers of deeds) from general repealer. Provides that act not to change method of compensating registers of deeds now receiving salary with all fees going into county general fund. Passed second and third readings.

HB 1007 - Employee meals tax break. Passed second and third readings.

HB 1036 - Dispenser tax changes. Amendment adopted making following changes: (1) To set formula used in computing gross receipts tax applicable to distributors or operators of five or more specified types of vending or weighing machines at six-tenths of 1% of gross receipts from cigarett sales, and one-tenth of 1% of gross receipts from all other sales (original bill, set formula at flat one-tenth of 1% of gross receipts from such sales). (2) To delete proviso that the "fifty dollars ($50.00)" tax paid for operator's license by operators or distributors in five machine class, shall be treated during year paid as advance payment credit on gross receipts tax (deletes specific quoted reference to amount of such tax credit). (3) Makes technical corrections. Postponed to 6/26.

HB 1076 - Credit card misuse, as amended in House 6/22. Postponed to 6/26.

HB 1155 - Department of correction, (House committee substitute 6/20). Postponed to 6/26.

HB 1197 - Publications to ECC. Postponed to 6/26.

HB 1203 - Mortgage foreclosure notice. Amendments adopted to make following changes: (L) To add new section adding to GS 161-10 (fees of register of deeds) provision for fee of two dollars for first page and one dollar for each succeeding page for registration of demand for notice of sale made under provisions of act. (2) To delete provision for cause of action "against the trustee" of a deed of trust for damages sustained by reason of failure to mail notice of sale under procedures of act. (3) Deletes provision for $5.00 demand for notice fee. Floor amendment adopted making technical deletions to conform with deletion of $5.00 demand for notice fee.

HB 1233 - Subdivision control revisions. Postponed to 6/27.

HB 1234 - CATV franchises, (House committee substitute 6/22). Passed second and third readings; reconsidered vote by which passed second and third readings; passed second reading.

HB 1238 - 1% additional sales tax, (House committee substitute 6/22). Postponed to 6/26.

HB 1269 - Blind-handicapped retirement, (House committee substitute 6/22), as amended in House 6/22. Postponed to 6/26.

HB 1271 - Abandoned vehicles disposal. Passed second reading.

HB 1297 - Felony-misdemeanor charges, (House committee substitute 6/22). Passed second and third readings.

HB 1312 - Self-employed retirement, tax. Amendment adopted making deduction for income tax purposes of contributions to self-employed retirement plans applicable to such contributions made after January 1, 1969 (original bill, December 31, 1966). Passed second and third readings.

HB 1313 - Abducting children. Amendment adopted deleting qualification limiting to orphans the application of the act with respect to those residing with guardians. Passed second and third readings.

HB 1319 - New truck safety belts, as amended in House 6/22. Passed third reading.

HB 1324 - Amending HB 646. Passed second and third readings.

HB 1325 - Local Health Departments. Passed second and third readings.

HB 1326 - NHSA benefits to State. Passed second and third readings.

HB 1335 - Changing primary time. Postponed to 6/26.

HB 1337 - Porpoise protection. Amendment adopted providing that it is unlawful to "willfully" harm or destroy porpoises (original bill did not specify intent). Passed second and third readings.

HB 1340 - ABC wine-beer process. Amendment adopted providing that Board or Board-appointed hearing officer to have power to summon witnesses in relation to investigation (originally, Board given powers of trial justice for purpose of summoning and compelling attendance of witnesses). Passed second and third readings.

HR 1341 - (Joint Resolution) NC Building Code Comm'n. Passed second and third readings.

HB 1342 - Municipal Hwy. Safety Act aid. Passed second and third readings.

HB 1355 - Annexation technical changes. Amendment adopted making technical changes. Passed second and third readings.

HB 1356 - Fraudulent license procurement. Floor amendment adopted making technical correction. Passed second and third readings.

HB 1358 - School lunch operating cost. Floor amendment adopted to provide that food service personnel shall be paid from the funds of food service only for services rendered in behalf of lunch room services. Passed second and third readings.

HB 1359 - Escheat auto collision funds. Passed second and third readings.

HB 1372 - Joint local recreation facils. Passed second and third readings.

HB 1373 - Chronic alcoholic laws. Passed second and third readings.

HB 1378 - Military base sunday hunting. Passed second and third readings.

HB 1383 - Osteopathic practice amdts. Postponed to 6/27.

HB 1386 - Gen. Stats. Comm'n appointee. Passed second and third readings.

HB 1390 - Inspection warrants. Amendment adopted providing that warrants issued under section must be served between hours of 8 a.m. and 8 p.m. Passed second and third readings.

HB 1400 - UCC double indexing. Passed second and third readings.

LOCAL BILLS

SB 667 - (Guilford) High Point ABC profits. Passed.

HB 809 - (Alamance, Anson, Caswell, Davie, Gaston, Guilford, Orange, Rockingham, Surry) Ambulance service fees, as amended in House 5/5 and in Senate 6/22. Received for concurrence in Senate amendment; concurred.

HB 1371 - (Guilford) Solicitors' salaries. Passed.

HB 1395 - (Robeson) School board election. Passed.

HB 1396 - (Duplin) School board election. Passed.

BILLS RATIFIED

SB 351 - Mineral claims, as amended in Senate 6/5 and House 6/16, 6/19 and 6/20. [Ch. 905]

SB 353 - (Gaston) School consolidation, as amended in Senate 6/9. [Ch. 906]

SB 400 - Marshland dredging, (Senate committee substitute 6/1), as amended in Senate 6/14. [Ch. 907]

SB 511 - Foreign ins. co. treatment, (Senate committee substitute 6/7). [Ch. 908]

SB 514 - Unauthorized insurers, (Senate committee substitute 6/7). [Ch. 909]

SB 578 - Psychologist licensing, as amended in Senate 6/9 and 6/14. [Ch. 910]

SB 657 - (Onslow) Jacksonville charter revision, as amended in Senate 6/13. [Ch. 91

SB 676 - (Wilkes) N. Wilkesboro land conveyance. [Ch. 912]

SB 677 - (Person) Roxboro land sale. [Ch. 913]

SR 723 - (Joint Resolution) Memorializing Street. [R 70]

HB 779 - (Beaufort) Drainage districts. [Ch. 914]

HB 1156 - (Wake) Raleigh franchises, as amended in House 6/2. [Ch. 915]

HB 1176 - (Forsyth) Zoning amendment notice. [Ch. 916]

HB 1177 - (Forsyth) County contract procedure. [Ch. 917]

HB 1178 - (Forsyth) Dog regulation. [Ch. 918]

HB 1286 - (Northampton) Tax collector duties. [Ch. 919]

HB 1287 - (Hertford) Como incorporation. [Ch. 920]

HB 1333 - (Martin) Officials compensation. [Ch. 921]

HB 1334 - (Martin) Fox hunting season. [Ch. 922]

Next sessions of House: 9:00 a.m., Saturday, June 24, 1967, for consideration of local bills only.
7:00 p.m., Monday, June 26, 1967.

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GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 99

Monday, June 26, 1967

Note: The Senate convened at 9:00 a.m., Saturday, June 24, 1967, to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Session: Senate--7:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SR 731 - (Joint Resolution) Introduced by Currie and others
"To further the international interests of the people of North Carolina through education." [Requests Governor to explore means of formulating program for increasing knowledge of international relationships for benefit of people of State.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- SENATE

SB 732 - Introduced by Brumby
"Providing for the non-partisan election of the County Board of Education of Macon County." [Identical with HB 1407, digested in Bulletin No. 98 at page 1007.] To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 19 - Budget appropriations. Reported favorably as to committee substitute. Committee substitute adopted, identical with committee substitute for HB 34, digested in the House calendar section of today's bulletin.

SB 20 - Capital appropriations. Reported favorably as to committee substitute. Committee substitute adopted which increases General Fund appropriation for capital improvement projects for use of State institutions, departments and agencies from $110,904,653 to $112,356,788; decreases Highway Fund appropriation for capital improvements from $4,375,600 to $4,344,600; leaves unchanged Wildlife Resources Fund appropriation of $901,127.

Net increases or additions to categories of the General Fund are as follows (net decreases or deletions are shown in parentheses); net figures include any applicable federal, local and other funds unless otherwise specified:

I.	GENERAL GOVERNMENT		
	Department of Administration		$ 651,375
	1. General renovations, building and grounds	$ 51,375	
	13. Purchase of land, institutional	100,000	
	14. Advance planning, institutional facilities (new)	500,000	
II.	PUBLIC SAFETY AND REGULATION		
	North Carolina Armory Commission		(113,000)
	Armory, Dunn (deleted entirely)	(18,750)	
	Armory, Monroe (deleted entirely)	(19,500)	
	Armory, Raeford (deleted entirely)	(21,000)	
	Armory, Reidsville (deleted entirely)	(19,500)	
	Armory, Whiteville (deleted entirely)	(19,500)	
	Armory expansion, Lenoir (deleted entirely)	(4,500)	
	Armory expansion, Kinston (deleted entirely)	(2,000)	
	Armory expansion, Hickory (deleted entirely)	(2,000)	
	Armory expansion, Statesville (deleted entirely)	(3,125)	
	Armory expansion, Tarboro (deleted entirely)	(3,125)	
III.	CORRECTION - Total appropriation of $7,001,800 unchanged.		
V.	EDUCATION		
	University of North Carolina (Consolidated)		(585,000)
	2. Headquarters building for Consolidated Offices	(585,000)	
	University of N.C. at Chapel Hill (Academic Affairs)		(595,000)
	2. Renovate Murphey and Saunders Classroom Buildings (deleting air conditioning)	(255,000)	
	3. Renovate Manning Hall (deleting air cond.)	(250,000)	
	4. Renovate Graham Memorial (deleting air cond.)	(90,000)	
	6. Renovate Lenoir Dining Hall	- 0 -	
	Renovations (412,500)		
	Food Service Equip. (82,000)		
	Movable Equipment 70,500		
	Less self-liquidating (424,000)		
	14. Atmospheric Studies Laboratory (new)	- 0 -	
	Building and equipment 400,000		
	Less federal grant 400,000		
	North Carolina State University		(589,500)
	4. Leazer Hall Cafeteria	275,000	
	Renovation and addition 275,000		
	8. Physical Science Building supplement (new)	120,000	
	8. Air condition Clark Laboratory (deleted entirely)	(25,000)	
	18. Continuing Education Center (new)	- 0 -	
	Building and equipment 5,535,000		
	Less gifts, grants, self-liq. 5,535,000		
	18. Nelson Building addition (deleted entirely)	(1,060,000)	
	21. Research Lab addition to Agricultural Engineering Building (new)	475,500	
	21. Food Service Facility (deleted entirely)	(275,000)	
	22. Central Stores Facility	(100,000)	
	Building and equipment (290,000)		
	Less other funds (190,000)		

University of N.C. at Greensboro			(45,000)
5. Air condition Dining Halls (new)		- 0 -	
Air conditioning	300,000		
Less self-liquidating	300,000		
5. Air condition McIver Building (deleted entirely)	(45,000)		
University of N.C. at Charlotte			(425,000)
8. Health and Phsycial Education Facility		(500,000)	
12. Chancellor's residence (new)		75,000	
East Carolina College			701,700
9. Science Building for Biology and Physics		(223,300)	
Building	(335,000)		
Less federal funds	(111,700)		
10. Classroom Building for Home Economics		75,000	
Building and equipment	75,000		
16. 36 Married Student Apartments (new)		- 0 -	
Buildings and equipment	(453,000)		
Less self-liquidating	(453,000)		
17. Elementary Education Laboratory School (new)		750,000	
Building and equipment	1,135,000		
Less local funds	385,000		
18. Development Evaluation Clinic and Day Care Center, matching funds (new)		100,000	
Appalachian State Teachers College			15,000
8. Continuing Education Facility, matching funds (new)		100,000	
8. Air condition New Administration Building (deleted entirely)		(65,000)	
9. Air condition Duncan Hall (deleted entirely)		(20,000)	
Winston-Salem State College			(86,500)
6. Renovation of Administration Building		(90,000)	
10. Landscaping (new)		3,500	
Project	20,000		
Less gifts	16,500		
Elizabeth City State College			20,000
4. Move athletic field (new)		20,000	
Fayetteville State College			100,000
6. Science Building supplement (new)		100,000	
State Board of Education - Dep't of Community Colleges			121,160
2. Catawba Valley Technical Institute (new)		121,160	
Governor Morehead School			(120,000)
10. New Entrance to Dining Room (Garner Rd. Division) (deleted entirely)		(15,000)	
12. Completion of Primary Unit (Garner Rd. Division) (deleted entirely)		(95,000)	
North Carolina School for the Deaf			1,250,000
4. Complex Unit		1,250,000	
North Carolina School of the Arts			- 0 -
4. Ten Lower-Division Student Housing Units (new)		- 0 -	
Buildings	113,000		
Less gifts	113,000		
5. Acquisition of Two Existing Leased Dorms (new)		- 0 -	
Dormitories	330,000		
Less self-liquidating	330,000		

	Department of Archives and History		344,400
	4. Historic Bath Visitor Center Museum (new)	90,000	
	5. Davidson's Fort Museum (new)	32,000	
	6. Historic Edenton Cupula House, Iredell House, and Barker House (new)	36,000	
	7. Residence at Ft. Fisher (new)	12,000	
	8. Historic Halifax Building Restoration (new)	40,000	
	9. Historic Hope repair and restoration (new)	20,000	
	10. Gov. Lenoir Home restoration (new)	14,400	
	11. James K. Polk Birthplace museum (new)	41,000	
	12. Somerset Place restoration (new)	59,000	
VII.	NON-HIGHWAY TRANSPORTATION		
	State Ports Authority		450,000
	6. Two Gantry Cranes - Morehead City	300,000	
	7. Small Boats Harbor - Southport slips (new)	150,000	
VIII.	HEALTH AND HOSPITALS		
	Cherry Hospital		(650,000)
	5. Renovation dormitory (U-1 Bldg.) (deleted entirely)	(650,000)	
	Caswell Center		35,000
	1. Heating renovations, idiot colonies	35,000	
IX.	NATURAL RESOURCES AND RECREATION		
	Department of Conservation and Development		(112,500)
	1. Two (deleted two) Tourist Welcome Centers	(127,500)	
	16. Tower residence, Buncombe-Henderson Co. (new)	17,000	
	16. Tower residence, Polk-Rutherford Co. (deleted entirely)	(11,000)	
	31. Overlook, Cliffs of Neuse (new)	10,000	
	31. Trails, Morrow Mtn. (deleted entirely)	(39,000)	
	32. Picnic area, Umstead (new)	28,000	
	32. Trails, Hanging Rock (deleted entirely)	(41,000)	
	33. Group camp, Reedy Creek (new)	10,000	
	33. Trails, Jones Lake (deleted entirely)	(39,000)	
	34. Camping roads, Morrow Mtn. (new)	111,500	
	34. Trails, Umstead (deleted entirely)	(45,000)	
	35. Family Camping, Cliffs of Neuse (new)	65,000	
	35. Trails, Reedy Creek (deleted entirely)	(33,500)	
	36. Kron Homesite fencing (new)	9,000	
	36. Service area, Umstead (deleted entirely)	(14,500)	
	37. Picnic area, Mt. Jefferson (deleted entirely)	(12,500)	
X.	AGRICULTURE		
	Department of Agriculture		25,000
	23. Western N.C. Agricultural Center Youth Center (new)	25,000	
	Agricultural Experiment Station, NCSU		1,060,000
	2. Greenhouses, Kent Rd. Site (new)	419,550	
	3. Animal Research Center (new)	502,950	
	4. Relocate Swine Facilities (new)	137,500	

Net changes in Highway Fund are as follows:

II.	PUBLIC SAFETY AND REGULATION	
	Department of Motor Vehicles	(31,000)
	3. Building for radio maintenance, Williamston (deleted entirely)	(15,500)
	4. Building for radio maintenance, Greensboro (deleted entirely)	(15,500)

SPECIAL PROVISIONS (new):
Creates Capital Improvement Advance Planning Fund of $500,000 for advance planning, appropriated above in General Government and repaid from authorized capital improvement projects from advances from General Fund for advance planning; to be used for proposed projects approved by Governor and Advisory Budget Comm'n upon application by State agencies; amounts to be repaid when construction funds become available; Dep't of Administration to manage fund.

Declares that renovation projects for which funds for air conditioning have been deleted shall include transmission ducts and other concealed equipment appropriate for future installation of cooling equipment; projects not able to comply are not to be carried out.

SB 73 - Nursing education funds. Reported favorably as amended.

SB 77 - Good Neighbor Council, as amended in Senate 3/9. Reported favorably.

SB 100 - Vagabond Drama School app. Reported favorably as amended.

SB 132 - State aid for airports. Reported favorably as to committee substitute as amended. Committee substitute adopted identical with House committee substitute for HB 296, digested in Bulletin No. 42 at page 342. Substitute amended to appropriate $250,000 for fiscal year 1967-68 from General Fund to Department of Conservation and Development for administering act of grants for development of airport authorities (original appropriated $500,000 for each fiscal year of biennium.)

SB 153 - Chief Medical Examiner, as amended in Senate 4/25. Reported favorably as amended.

SR 177 - (Joint Resolution) Conservation-development study (Senate committee substitute 5/3). Reported favorably.

SB 183 - Technical changes-revenue laws (Senate committee substitute 6/23). Floor amendment adopted providing 3-year (originally, 5-year) statute of limitations for prosecutions for attempts to evade or defeat tax, under GS 105-236.

SB 184 - Sanitary scallops. Reported favorably.

SB 203 - Interstate education compact. Reported favorably as amended.

SB 242 - Teachers for retarded funds. Reported favorably as amended.

SB 308 - Solictor districts and duties. Reported favorably as to committee substitute. Committee substitute adopted making following changes in original: (1) provides that effective July 1, 1967 solicitors shall receive $13,000/year and solicitors qualifying July 1, 1968, as full-time solicitors per GS 7-45(b) shall receive $15,000/year, all to be in lieu of fees or other compensation except expenses allowed per GS 7-45; and (2) includes the 13th solicitorial district as one in which solicitor may elect on July 1, 1968, to become full-time State employees upon certain conditions.

SB 408 - Pilot retarded cure funds. Reported favorably as amended.

SB 409 - NC Capital Bldg. Authority. Reported favorably.

SB 411 - Fraudulent patient information (Senate committee substitute 6/8), as amended in House 6/23. Received from House for concurrence in House amendment; concurred.

SB 434 - Yam weevil indemnity. Reported favorably as amended.
SB 439 - Beef production training funds. Reported favorably as amended.
SB 542 - Fraternal society benefits, as amended in House 6/23. Received from House for concurrence in House amendment; concurred.
SB 555 - Department of Corrections (Senate committee substitute 6/9), as amended in Senate 6/23. Passed third reading.
SB 557 - Additional judges, 5 districts. Reported favorably as amended.
SB 568 - Constitutional officers' pay. Reported favorably as amended.
SB 583 - Mecklenburg alcoholic center. Reported favorably as to committee substitute. Committee substitute adopted authorizing Board of Mental Health to spend $150,000 in 1967-69 for Mecklenburg alcoholic rehabilitation center, authorization to be void unless matched by Charlotte, County, or private gifts before August 31, 1968 (originally, appropriated $1,000,000 to Board of Mental Health for said purpose, from alcoholic beverage price increase).
SB 584 - Fruit enforcement funds. Reported favorably.
SB 601 - Motorboat gas tax allocation. Reported favorably as amended.
SB 638 - Advis. Budget Chmn. expenses. Reported favorably.
SB 639 - Speaker-Pres. Pro Tem expenses. Reported favorably.
SB 655 - Henderson Co. extension unit. Rereferred to Appropriations.
SB 666 - Parks-forest study comm'n. Rereferred to Appropriations.
SB 674 - Coastal Plains Regional Comm'n. Reported favorably.
SB 697 - Lt. Governor's compensation. Reported favorably as amended.
SB 713 - Driver license fees. Passed second reading.
SB 716 - School of Arts revenue bonds. Passed third reading.

HB 151 - Widowers inheritance tax, as amended in House 6/23. Received from House, sent to Finance.
HB 297 - Alcoholic rehabilitation funds. Reported favorably as to committee substitute. Committee substitute adopted providing that remittance to General Fund from added price of 5¢ per bottle of alcoholic beverages shall be subject to appropriation by General Assembly as other monies in fund (in original, such remittance deposited after June 30, 1967 to be paid to Department of Mental Health for alcoholic rehabilitation efforts); appropriating $500,000 for '67-'69 biennium (and thereafter) to Department for local alcoholic rehabilitation to be made available to local alcoholic rehabilitation agencies for their rehabilitation efforts on dollar for dollar matching basis. Authorizes any local government unit to join in forming multi-unit agency for such purposes, eligibility for receipt of such funds to be conditioned on submission to and approval by Department of plan for alcoholic rehabilitation, education, and counseling and on inclusion in plan of at least 50% of total expenditures for alcoholic education programs and dissemination of facts on alcoholism with a portion of that amount for necessary treatment for family and others affected by alcoholics. Expenditures of such funds authorized for construction of rehabilitation centers on matching basis when approved by Department, "express authorization shall have been granted by the General Assembly."
HB 320 - Unsecured bail bonds II, as amended in House 5/30 and in Senate 6/23. Passed second reading.
HB 321 - Pay for aged care. Passed second and third readings.
HB 334 - 10¢ Alcoholic rehab. II (House committee substitute 5/26), as amended in House 5/30. Rereferred to Judiciary 1.
HB 467 - Veterans Comm'n & Scholarships, as amended in House 5/12. Reported favorably as amended.
HB 545 - Perpetual care cemetaries (House committee substitute 5/10), as amended in House 5/17 and Senate 6/22. Passed second reading.
HB 546 - Burial ass'n ass'm & bonds. (House committee substitute 5/10). Passed second reading.

HB 563 - Realty stamp tax, as amended in Senate 6/23. Floor amendment adopted providing that willfully "and knowingly" failing to pay "correct amount of" tax imposed by act or aiding, abetting, or directing to do same is misdemeanor (adds quoted words).
HB 969 - Small watershed changes, (House committee substitute 5/26), as amended in House 5/30 and in Senate 6/23. Passed third reading.
HB 1007 - Employee meals tax break. Received from House; sent to Finance.
HB 1297 - Felony-misdemeanor charges, (House committee substitute 6/22). Received from House; sent to Calendar Committee.
HB 1312 - Self-employed retirement tax, as amended in House 6/23, received from House; sent to Finance.
HB 1313 - Abducting children, as amended in House 6/23. Received from House; sent to Calendar Committee.
HB 1319 - New truck safety belts, as amended in House 6/22. Received from House; sent to Calendar Committee.
HB 1324 - Amending HB 646. Received from House; sent to Calendar Committee.
HB 1325 - Local health departments. Received from House; sent to Calendar Committee.
HB 1326 - NHSA benefits to State. Received from House; sent to Calendar Committee.
HB 1337 - Porpoise protection, as amended in House 6/23. Received from House; sent to Calendar Committee.
HB 1340 - ABC wine-beer process, as amended in House 6/23. Received from House; sent to Calendar Committee.
HR 1341 - (Joint Resolution) NC Building Code Comm'n. Received from House; sent to Calendar Committee.
HB 1342 - Municipal Hwy. safety act aid. Received from House; sent to Calendar Committee.
HB 1355 - Annexation technical changes, as amended in House 6/23. Received from House; sent to Calendar Committee.
HB 1356 - Fraudulent license procurement, as amended in House 6/23. Received from House; sent to Calendar Committee.
HB 1359 - Escheat auto collision funds. Received from House; sent to Calendar Committee.
HB 1372 - Joint local recreation facils. Received from House; sent to Calendar Committee.
HB 1373 - Chronic alcoholic laws. Received from House; sent to Calendar Committee.
HB 1378 - Military base Sunday hunting. Received from House; sent to Calendar Committee.
HB 1386 - Gen. Stats. Comm'n appointee. Received from House; sent to Calendar Committee.
HB 1390 - Inspection warrants, as amended in House 6/23. Received from House; sent to Calendar Committee.
HB 1400 - UCC double indexing. Received from House; sent to Calendar Committee.

LOCAL BILLS

SB 276 - (Mitchell) County officials, as amended in Senate 5/4 and in House 6/22. Concurred in House amendment.
SB 624 - (Polk) Electing principal. Passed.
SB 642 - (Lenoir) Kinston CATV franchises. Passed third reading.
SB 710 - (Henderson) School board election. Passed.
SB 719 - (Halifax) Annexation laws referendum. Passed third reading.
SB 724 - (Wake) Raleigh historic sites. Passed.
SB 725 - (Cumberland) Fayetteville beer regulation. Floor amendment adopted providing that limitations of act on licensing of beer outlets shall not apply to beer outlets existing and operating at effective date of act, upon application for renewal of license. Passed.

HB 1371 - (Guilford) Solicitors' salaries. Received from Senate; sent to Calendar Committee.
HB 1379 - (Northampton) School board pay. Passed.
HB 1395 - (Robeson) School board election. Received from House; sent to Calendar Committee.
HB 1396 - (Duplin) School board election. Received from House; sent to Calendar Committee.

Next session of Senate: 12 noon, Tuesday, June 27, 1967.

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BULLETIN NO. 99

Monday, June 26, 1967

Note: The House convened at 9:00 a.m., Saturday, June 24, 1967 to consider local bills only. No bills were introduced and no calendar action was taken in the House.

Session: House -- 7:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

None.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1409 - (Cumberland) Introduced by Collier and Williamson
"To amend Chapter 4 of the Private Laws of 1929 relating to the corporate limits of the Town of Fair Bluff." [Redefines corporate boundaries of Town of Fair Bluff by metes and bounds.] Placed on Calendar for 6/27.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 108 - Civil actions, illegitimates, as amended in House 6/23. Passed third reading.
SB 466 - Well construction standards, (Senate committee substitute 6/22). Received from Senate; sent to Calendar Committee.
SB 486 - Impounding abandoned vehicles, (Senate committee substitute 6/21). Received from Senate; sent to Calendar Committee.
SB 527 - Plant pest inspection, as amended in Senate 5/26. Floor amendment adopted adding clarifying provision that law enforcement officer stopping vehicle for purpose of enforcing Article do so at request of authorized agent of Comm'r.
SB 534 - Auto dealer amendments, as amended in Senate 6/23. Received from Senate; sent to Calendar Committee.
SB 564 - Airport property tax exemption. Received from Senate; sent to Finance.
SB 565 - Sales tax refunds for airports. Received from Senate; sent to Finance.
SB 588 - Marking motor carriers. Received from Senate; sent to Calendar Committee.
SB 589 - Utilities law publication. Received from Senate; sent to Calendar Committee.
SB 590 - Natural gas pipeline safety, as amended in Senate 6/23. Received from Senate; sent to Calendar Committee.
SB 591 - Exempt carrier safety rules, as amended in Senate 6/23. Received from Senate; sent to Calendar Committee.
SB 592 - Excursion vehicle repealer. Received from Senate; sent to Calendar Committee.
SB 648 - Municipal ABC elections, as amended in Senate 6/15 and 6/19. Reported favorably as amended.
SB 669 - Local gov. retirement changes. Passed second and third readings.
SB 671 - New resident auto licensing. Received from Senate; sent to Calendar Committee.
SB 679 - County land fill bonds. Reported favorably.
SB 687 - Issuing subpoena duces tecum. Received from Senate; sent to Judiciary 2.
SB 694 - Meals for sequestered jurors. Received from Senate; sent to Judiciary 2.
SB 703 - Military base Sunday hunting. Received from Senate; placed on calendar for 6/27.
SB 707 - Inheritance tax refunds. Received from Senate; sent to Calendar Committee.

SB 708 - Motor vehicles record fees. Received from Senate; sent to Calendar Committee.

SB 709 - Vehicle dealers licenses. Received from Senate; sent to Calendar Committee.

SB 717 - Stealing secrets. Received from Senate; sent to Calendar Committee.

SB 718 - Judicial discretion, as amended in Senate 6/23. Received from Senate; sent to Judiciary 1.

HB 33 - Capital appropriations. Reported favorably as to committee substitute. Committee substitute adopted, identical with committee substitute for SB 20, digested in the Senate section of today's bulletin.

HB 34 - Budget appropriations. Reported favorably as to committee substitute. Committee substitute adopted which increases General Fund appropriations for current operations of State institutions, departments and agencies for 1967-68 from $665,252,739 to $677,109,293, and for 1968-69 from $717,680,652 to $733,399,882; and increases Highway Fund appropriations for current operations for 1967-68 from $212,467,877 to $215,214,435, and for 1968-69 from $223,722,766 to $226,885,184. Makes following changes in original bill (figures not in parentheses represent increases or additions; figures in parentheses represent reductions):

GENERAL FUND

I. GENERAL GOVERNMENT

	1967-68	1968-69
Judicial Department	$ 847,633	$ 2,109,270
Counsel for Indigent Defendants	50,000	50,000
The Governor's Office	18,882	(4,232)
Department of Administration	348,358	233,361
Department of Personnel	25,000	25,000
Department of Justice:		
State Bureau of Investigation	53,288	16,064
Department of Revenue	50,446	49,520
North Carolina Courts Commission	(17,500)	(17,500)
Legislative Research Commission	16,000	16,000
Contingency and Emergency	(400,000)	(400,000)
Salary Adjustment Fund	167,660	833,334
Salary Increases - Council of State	-	8,000
Subtotal--General Government	$ 892,107	$ 2,077,483

II. PUBLIC SAFETY AND REGULATION

The Adjutant General:		
Adjutant General's Office	$ 9,288	$ 9,732
Insurance Department	19,634	18,748
Industrial Commission	-	21,688
State Board of Alcoholic Control	35,822	37,126
Subtotal--Public Safety and Regulation	$ 64,744	$ 87,294

III. CORRECTION

North Carolina Board of Juvenile Correction:		
Stonewall Jackson Training School	$ 1,796	$ 3,422
State Home and Industrial School for Girls--Samarcand Manor	1,664	3,111

	1967-68	1968-69
Morrison Training School	$ 2,145	$ 4,085
Eastern Carolina Training School	1,232	2,340
State Training School for Girls--Dobbs Farm	1,018	2,100
Leonard Training School	1,551	2,956
Juvenile Evaluation Center	1,904	3,627
New Training School	(139,321)	(97,745)
Prison Department	78,382	79,899
Subtotal--Correction	$ (48,815)	$ (5,645)

IV. PUBLIC WELFARE

Department of Public Welfare	$ 300,000	$ 300,000
State Commission for the Blind	50,000	50,000
Veterans Commission	20,764	19,736
Subtotal--Public Welfare	$ 370,764	$ 369,736

V. EDUCATION

State Board of Education:		
Nine Months School Fund	$ (71,523)	$ 2,229,300
Vocational Education	150,085	265,233
Vocational Rehabilitation	22,459	23,117
Department of Community Colleges--Equipment	1,200,000	200,000
Department of Community Colleges	39,285	143,246
State Board of Higher Education:		
State Board of Higher Education	415,000	715,000
State Education Assistance Authority	25,000	25,000
Department of Administration - Reserve for Educational Benefits - Children of Veterans	651,334	650,844
University of North Carolina (Consolidated):		
General Administration	22,828	21,176
University of North Carolina at Chapel Hill		
University of North Carolina at Chapel Hill	(44,098)	(285,143)
Division of Health Affairs	-	(23,839)
North Carolina State University at Raleigh	(572,554)	(922,076)
University of North Carolina at Greensboro	37,346	(55,306)
University of North Carolina at Charlotte	(127,382)	(155,918)
East Carolina College	26,068	(266,198)
The Agricultural and Technical College	(22,500)	(141,906)
Western Carolina College	12,887	(61,241)
Appalachian State Teachers College	80,404	(96,610)
Pembroke State College	(14,571)	(61,359)
Winston-Salem State College	18,547	(13,449)
Elizabeth City State College	(5,378)	(24,228)
Fayetteville State College	15,304	(15,696)
North Carolina College at Durham	28,118	66,005
Asheville-Biltmore College	-	(2,470)
Wilmington College	47,025	65,939
North Carolina Board of Science and Technology	150,000	150,000
North Carolina School for the Deaf	31,080	37,360
Eastern North Carolina School for the Deaf	4,776	7,275
The Governor Morehead School	32,574	39,053
Department of Archives and History	35,912	35,912
State Library	15,000	15,350
Old Salem, Inc.	12,500	12,500
Parkway Playhouse, Inc. - University of North Carolina at Greensboro	25,000	-

	1967-68	1968-69
North Carolina Rhododendron Festival, Inc.	$ 5,000	$ -
North Carolina Apple Festival	2,500	-
Subtotal--Education	$ 2,058,656	$ 2,268,392
VII. NON-HIGHWAY TRANSPORTATION		
State Ports Authority	$ 1,085	$ 1,085
VIII. HEALTH AND HOSPITALS		
State Board of Health	$ 70,000	$ 200,000
University of North Carolina:		
Memorial Hospital--Psychiatric Center	2,678	2,678
Memorial Hospital	4,868	205,028
Department of Mental Health:		
General Administration	100,000	600,000
Western Carolina Center	118,050	-
Wright School	78,277	145,000
Advisory Council on Mental Retardation	84,396	84,396
North Carolina Sanatorium System	6,000	9,000
Subtotal--Health and Hospitals	$ 214,623	$ 1,229,396
IX. NATURAL RESOURCES AND RECREATION		
Department of Conservation and Development:		
Department of Conservation and Development	$ 96,110	$ 25,710
Department of Water Resources	88,046	86,954
Brevard Music Center	25,000	25,000
Person-Caswell Lake Authority	25,000	-
Subtotal--Natural Resources and Recreation	$ 234,156	$ 137,664
X. AGRICULTURE		
Department of Agriculture	$ 8,286	$ 8,286
Agricultural Experiment Station--North Carolina State University at Raleigh	318,468	368,200
Cooperative Agricultural Extension Service--North Carolina State University at Raleigh	98,075	108,891
State Soil and Water Conservation Committee	29,000	29,000
Subtotal--Agriculture	$ 453,829	$ 614,377
XII. RETIREMENT AND PENSIONS		
Teachers' and State Employees' Retirement System	$ 3,652,117	$ 1,178,504
XIII. DEBT SERVICE		
Interest on Bonds	$ (524,388)	$ (219,550)
XIV. SALARY INCREASES		
State Employees Subject to Personnel Act	$ 1,117,966	$ 1,130,192

HIGHWAY FUND

I. GENERAL GOVERNMENT

	1967-68	1968-69
Salary Adjustments--Highway Fund Employees	$ 150,000	$ 350,000

II. PUBLIC SAFETY AND REGULATION

Department of Motor Vehicles	$ 289,516	$ 281,907

VI. HIGHWAYS

State Highway Commission:		
Merit Salary Increments	$ -	$ 88,384
Reserve for Contingencies	465,819	439,017
General Administration	8,824	8,424
Engineering Administration and Supervision	323,855	315,732
State Maintenance and Construction:		
Secondary System	500,000	629,205
Subtotal--Highways	$ 1,298,598	$1,480,762

XII. RETIREMENT AND PENSIONS

Contributions to Retirement System--		
Salary Adjustments	$ 20,000	$ 40,000
Teachers' and State Employees'		
Retirement System:		
Contribution from Highway Fund--		
Salary Increases	83,263	85,465
Contribution from State Highway Commission	212,476	227,741
Subtotal--Retirement and Pensions	$ 315,738	$ 443,206

XIV. SALARY INCREASES

Salary Increases for Highway Fund Employees	$ 692,705	$ 696,543

SPECIAL PROVISIONS

Includes special provisions differing from original bill as follows: Authorizes Director of Budget to transfer appropriations as among NC School for Deaf, Eastern NC School for Deaf and Governor Morehead School in best interest of State. Authorizes diversions of funds appropriated to State Board of Education for additional teachers and/or specified purposes in emergencies as determined by Governor and Advisory Budget Comm'n. States intention that (except as to new units herein authorized) no recommendations as to new units to be made by Dep't of Community Colleges absent clear and urgent need; that no construction contracts be let by said Dep't until availability of equipment funds is clearly established; and provides that appropriations to Dep't of Community Colleges may be used by State Board of Education to establish Statewide salary schedule providing average 12-months teacher salary of $8,900 for 1967-68 and $9,600 for 1968-69, as near as possible.

SALARIES AND WAGES

Authorizes Director of Budget to transfer unexpended balances at end of each fiscal year after increases met from appropriations for increases to appropriations for adjustments. Specifies a 6% (originally 5%) legislative salary increase to full-time State employees subject to State Personnel Act, commencing July 1, 1967; provides that salary increases not to affect eligibility for increments.

HB 117 - Creek designation. Amendment adopted restricting application of Act to White Oak River, from point where Stella Bridge crosses it, to Grants Creek. Passed second and third readings.

HB 156 - Nursing education funds. Reported favorably as amended.

HB 169 - ECC stadium addition. Reported favorably as amended.

HB 199 - Sanitary scallops. Reported favorably.

HB 296 - State aid for airports, (House committee substitute 4/6). Reported favorably as amended.

HB 462 - Roanoke workshop bldg. funds. Reported favorably as amended.

HB 524 - Teachers for retarded funds. Reported favorably as amended.

HB 528 - Commission on Women. Reported favorably as amended.

HB 541 - Uniform register of deeds fees, as amended in House 6/23. Floor amendment adopted changing effective date of Act from July 1, 1967 to January 1, 1968.

HB 904 - Advancement school funds. Reported favorably as amended.

HB 911 - Retarded children care funds. Reported favorably.

HB 919 - NC Capital Bldg. Authority. Reported favorably as to committee substitute; committee substitute adopted providing for Authority to be responsible for capital improvement program implementation including NC Capital Planning Comm'n, Dep't of Administration, Prison Dep't, Sanitorium System of all its institutions, Governor Morehead School, NC School for Deaf and Eastern NC School for Deaf and providing that all plans and records pertaining to physical planning and other related documents of all above named institutions be made available to Authority. Empowers Authority to: (1) Select and employ architects, engineers and other consultants to plan construction capital improvements in accordance with programs developed by above agencies and institutions; (2) receive bids, award and administer construction contracts for such projects in accordance with GS 143, Arts. 1 and 8 (Executive Budget Act and Public Building Contracts respectively); (3) authorize transfer of funds as appropriate to fulfill purposes subject to approval of Advisory Budget Comm'n; (4) report annually to Governor; (5) report to each agency or institution concerned upon completion of each project.

HB 965 - Yam weevil indemnity. Reported favorably as amended.

HB 973 - Beef production training funds. Reported favorably as amended.

HB 1036 - Dispenser tax changes, as amended in House 6/23. Floor amendment adopted providing for soft drink dispenser tax for distributors thereof of $6.00 per machine on more than five and less than 50 machines (in original flat $355 for not over 50 dispensers) and that tax shall not apply to dispensers of newspapers.

HB 1045 - School bus tort claims. Reported favorably.

HB 1051 - Blandwood appropriation. Reported favorably as amended.

HB 1076 - Credit card misuse, as amended in House 6/22. Floor amendments adopted deleting proposed GS 14-113.9 (relating to false statements of financial condition or identity for purpose of procurring credit card); deleting proposed GS 14-113.19 (relating to certain defenses specifically made unavailable in credit card crime prosecutions). Adds provision that presumption of theft where person has two or more credit cards, not his own, in his possession does not apply if credit cards belong to members of his immediate family; adds provision with respect to presumption of goods and services fraudulently received that presumption not to apply when discount transportation tickets received from authorized agent of transportation company.

Provides that taking, obtaining or withholding credit card without consent is included in (originally, "includes") definition of larceny of chose in action under GS 14-75. Passed third reading.

HB 1078 - Historic Murfreesboro Comm. Reported favorably as amended.

HB 1135 - Cotton quality improvement. Reported favorably.

HB 1153 - Kiddy-ride privilege tax, as amended in House 6/2 and in Senate 6/22. Received for concurrence in Senate amendment; failed to concur. Conference committee appointed by Speaker to consist of Representative Hege, Eagles and Vogler.

HB 1155 - Department of correction. Postponed to 6/27.

HB 1157 - Additional judges 5 districts. Reported favorably.

HB 1197 - Publications to ECC. Postponed to 6/28.

HB 1214 - Dormant carrier franchises. Passed second and third readings.

HB 1215 - Transferred carrier franchises. Passed second and third readings.

HB 1216 - Exempt motor carriers. Passed second and third readings.

HB 1217 - Fruit enforcement funds. Reported favorably.

HB 1232 - Union bus station services. Reported unfavorably.

HB 1234 - CATV franchises, (House committee substitute 6/22). Passed third reading.

HB 1238 - 1% additional sales tax, (House committee substitute 6/22). Failed to pass second reading.

HB 1242 - Longer loose-leaf registration. Reported favorably as amended.

HB 1269 - Blind-handicapped retirement, (House committee substitute 6/22), as amended in House 6/22. Passed second and third readings.

HB 1271 - Abandoned vehicles disposal. Passed third reading.

HB 1282 - Advis. Budget Chmn, expenses. Reported favorably.

HB 1283 - Speaker-Pres. Pro Tem expenses. Reported favorably.

HB 1304 - Gift tax advance payments. Passed second and third readings.

HB 1305 - Foreign trust tax credit. Passed second and third readings.

HB 1306 - Medical benefits tax exemption. Passed second and third readings.

HB 1309 - $5,000 inheritance tax exemption. Passed second and third readings.

HB 1310 - Retired service pay tax. Passed second and third readings.

HB 1317 - Fruit-vegetable appropriation. Reported favorably.

HB 1335 - Changing primary time. Amendment adopted adding Chapter number "775" to bill title (original bill left blank space for later addition of chapter number). Passed second and third readings.

HB 1382 - Pre-need burial contracts. Reported favorably.

HB 1392 - School of Arts revenue bonds. Reported favorably.

HB 1408 - Local school budget add-ons. Reported favorably.

LOCAL BILLS

SB 503 - (McDowell) Old Fort tax rate. Passed third reading.

SB 701 - (Halifax) Roanoke Rapids charter. Received from Senate; sent to Calendar Committee.

SB 704 - (Mitchell) Officials compensation. Received from Senate; sent to Calendar Committee.

SB 714 - (Harnett) Board of Education conveyance. Received from Senate; sent to Calendar Committee.

SB 720 - (Gaston) Regional Planning Commission. Received from Senate; sent to Calendar Committee.

HB 222 - (Cumberland) Fayetteville beer and wine, as amended in House 3/29 and 5/4 and in Senate 6/16. Vote by which failed to concur in Senate amendment reconsidered; concurred in Senate amendment.

HB 292 - (Pender) Deer preservation, (Senate committee substitute 5/22). Amendment adopted deleting requirement that public hearing to determine prospect of taking female deer be held at least 30 days prior to opening of deer season (bill now sets no public hearing time limits); deleting requirement that one game supervisor, in addition to game protector, be present at each hunt permitted to take doe deer; and decreasing ratio of game supervisors to hunt party members from at least one per 15 to at least one per 20. Passed.

HB 304 - (Rowan) Commissioner elections, (House committee substitute 4/11), as amended in Senate 6/22. Received for concurrence in Senate amendment; concurred.
HB 564 - (Swain) Loose-leaf registration, as amended in Senate 6/22. Postponed to 6/27.
HB 1322 - (Yadkin) Jonesville-Arlington merger, as amended in Senate 6/22. Received for concurrence in Senate amendment; concurred.
HB 1366 - (Burke) Amends HB 766. Passed third reading.
HB 1394 - (Northampton) Register's fees. Passed.

Next session of House: 10:30 a.m., Tuesday, June 27, 1967.

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BULLETIN NO. 100

Tuesday, June 27, 1967

Sessions: Senate -- 12 noon and 2:45 p.m.

PUBLIC BILLS INTRODUCED -- SENATE, 12 NOON SESSION

None

LOCAL BILLS INTRODUCED -- SENATE, 12 NOON SESSION

None

SENATE CALENDAR ACTION -- 12 NOON SESSION
PUBLIC BILLS

SB 69 - Congress Dist. Mills-Griffin (Senate Committee Substitute 5/9), as amended in House 6/27. Received for concurrence in House amendment; failed to concur.
SB 108 - Civil actions, illegitimates, as amended in House 6/23. Received for concurrence in House amendment; put on calendar for 6/28.
SB 183 - Technical changes - revenue laws (Senate committee substitute 6/23), as amended in Senate 6/26. Passed third reading.
SB 187 - Provisional license suspension. Recalled from Public Roads; re-referred to Calendar Committee.
SB 474 - Insurance premium finance fees. Reported favorably as amended.
SB 491 - Dispenser tax changes. Reported favorably as amended.
SB 527 - Plant pest inspection, as amended in Senate 5/26 and in House 6/26. Received for concurrence in House amendment; concurred.
SB 646 - Insurance co. stock purchase. Floor amendment adopted amending GS 55-52 (c)(6) to make section pertain to corporations regulated by Securities Act of 1933 (original refers only to corporations subject to act). Passed second and third readings.
SB 675 - School lunch operating costs. Postponed indefinitely.
SB 686 - Fraudulent license procurement. Postponed to 6/30.
SB 689 - Flag desecration changes. Reported favorably.
SB 693 - Hwy Patrol longevity pay. Passed second and third readings.
SR 698 - (Joint Resolution) Bird dog field trials. Passed second and third readings.
SB 713 - Driver license fee. Passed third reading.
SR 722 - (Joint Resolution) 1968 legislative session (Senate committee substitute 6/22) Postponed indefinitely.
SR 726 - (Joint Resolution) LRC Water Resource Law Study. Reported favorably.
SB 727 - Amends SB 2, State exemption. Reported favorably.
SB 730 - Investment of remainder. Reported favorably.
HB 43 - Judicial Sales changes, as amended in House 5/5. Passed second and third readings.

HB 80 - Retirement benefits exemption, as amended in House 6/19. Reported favorably.
HB 117 - Creek designation, as amended in House 6/26. Received from House; sent to Calendar Committee.
HB 142 - Securities law exemption. Re-referred to Judiciary 2.
HB 310 - State trademarks, as amended in House 6/19. Amendment adopted changing effective date of act to January 1, 1968 (originally, January 1, 1969). Passed second and third readings.
HB 541 - Uniform register of deeds fees, as amended in House 6/23 and 6/26. Received from House; sent to Calendar Committee.
HB 543 - Notary public stamps, as amended in House 6/21. Passed second and third readings.
HB 545 - Perpetual care cemeteries (House committee substitute 5/10), as amended in House 5/17 and in Senate 6/22. Floor amendment adopted adding provision that application must contain plat of cemetary showing number and location of lots then surveyed and permanently staked for sale, and deleting requirement of 30 days written notice of license hearings "to any other duly licensed cemetaries, in the same county or within approximately 30 miles from the proposed cemetary, and to the N. C. Cemetary Association, Inc." Passed third reading.
HB 546 - Burial ass'n ass'mt & bonds (House committee substitute 5/10). Passed third reading.
HB 558 - 18-year school attendance, as amended in House 6/13. Amendment adopted adding that if child unwilling to profit from school attendance, he be exempted from school attendance by superintendent of administrative unit. (Original referred only to child being unable to profit from attendance). Failed to pass second reading.
HB 563 - Realty stamp tax, as amended in Senate 6/23 and 6/26. Passed third reading in Senate on Monday, June 26, 1967.
HB 918 - Numbered legislative seats, as amended in House 6/9 and 6/12 (Senate committee substitute 6/23). Re-referred to Election Laws and Legislative Representation.
HB 981 - Funeral expense priority. Reported favorably as amended.
HB 988 - Judgment notice, as amended in House 6/2. Reported favorably as amended.
HB 1011 - Open meetings,as amended in House 6/15. Reported favorably as amended.
HB 1079 - Inland water boat pollution. Reported favorably.
HB 1133 - Watershed assessment payment. Reported favorably.
HB 1166 - Exempt radio telephone, as amended in House 6/9. Reported favorably; re-referred to Calendar Committee.
HB 1202 - Utilities Commission appeals. Reported favorably.
HB 1214 - Dormant carrier franchises. Received from House; sent to Calendar Comm.
HB 1215 - Transferred carrier franchises. Received from House; sent to Calendar Comm.
HB 1216 - Exempt motor carriers. Received from House; sent to Calendar Committee.
HB 1234 - CATV franchises (House committee substitute 6/22). Received from House; sent to Calendar Committee.
HB 1260 - Nursing direct payments. Reported favorably.
HB 1269 - Blind-handicapped retirement (House committee substitute 6/22), as amended in House 6/22. Received from House; sent to Calendar Committee.
HB 1271 - Abandoned vehicles disposal. Received from House; sent to Calendar Committee.
HB 1304 - Gift tax advance payments. Received from House; sent to Finance.
HB 1305 - Foreigh trust tax credit. Received from House; sent to Finance.
HB 1306 - Medical benefits tax exemption. Received from House; sent to Finance.
HB 1309 - $5,000 inheritance tax exemption. Received from House; sent to Finance.
HB 1310 - Retired service pay tax. Received from House; sent to Finance.
HB 1311 - Manufacturers inventory tax. Reported favorably as amended.
HB 1318 - Newspaper dispenser tax exempt, as amended in House 6/22. Reported fav.
HB 1324 - Amending HB 646 , Reported favorably.
HB 1325 - Local health departments. Reported favorably.

HB 1335 - Changing primary time, as amended in House 6/26. Received from House; sent to Calendar Committee.

HB 1358 - School lunch operating cost, as amended in House 6/23. Passed third reading.

LOCAL BILLS

SB 673 - (Wayne) Process service compensation. Floor amendment adopted authorizing board of county commissioners of Wayne County to compensate special deputies employed by Sheriff (original authorized Board to compensate only county constables). Passed.

HB 706 - (Gaston) Cramerton incorporation, as amended in House 6/7 and in Senate 6/21. Passed third reading.

HB 1119 - (Watauga) Boone aldermen, as amended in House 6/9. Passed third reading.

HB 1243 - (Wake) Raleigh noncontigous annex, as amended in House 6/14. Passed third reading.

HB 1322 - (Yadkin) Jonesville-Arlington merger, as amended in Senate 6/22. Recalled from House.

HB 1366 - (Burke) Amends HB 766. Received from House; sent to Calendar Committee.

HB 1394 - (Northampton) Register's fees. Received from House; sent to Calendar Committee.

Recessed at 2:00 p.m. to reconvene at 2:45 p.m.

SENATE CALENDAR ACTION -- 2:45 P.M. SESSION

PUBLIC BILLS

SB 19 - Budget appropriations (Senate committee substitute 6/26). Floor amendments adopted setting annual salary of following judicial officers: Chief Justice of NC Supreme Court - $28,000; Associate Justices - $27,000; Chief Judge of Court of Appeals - $25,000; Judges of Court of Appeals - $24,000; Superior Court Judges - $20,000; Chief District Court Judges - $15,500; District Court Judges - $15,000; Administrative officer of the Courts - $22,500; Assistant Administrative Officer of Courts - $16,500 and providing that appropriations made to various state agencies for purpose of purchase of medical, dental, and optometric care, services and treatment, including hospitalization, be disbursed on basis of fee schedules and rates approved by Advisory Budget Commission (original referred only to purchase of medical care and treatment). Passed second and third readings.

SB 20 - Capital appropriations (Senate committee substitute 6/26). Passed second and third readings.

SB 69 - Congress Dist. Mills-Griffin (Senate Committee substitute 5/9). The President appointed the following members to conference committee: Senators Kemp, Norton, White of Cleveland, Allen, and Green.

LOCAL BILLS

HB 564 - (Swain) Loose-leaf registration, as amended in Senate 6/22. The President of the Senate appointed the following members to conference committee: Senators Harrington, Green, and Ellis.

BILLS RATIFIED

SB 175 - Drilling and boring records, as amended in Senate 5/25. [Ch. 923]
SB 222 - (Wilkes) Surveyor registration, as amended in House 6/22. [Ch. 924]
SB 369 - (Stanly) Surveyor registration. [Ch. 925]
SB 405 - Welfare Department adoption, as amended in Senate 5/16. [Ch. 926]
SB 410 - Counsel fees, insurance suits, as amended in Senate 5/31. [Ch. 927]
SB 412 - Hospital patient statement (Senate committee substitute 6/6). [Ch. 928
SB 414 - Annexation hearing. [Ch. 929]
SB 425 - Administrative procedures, as amended in Senate 6/7. [Ch. 930]
SB 440 - Unclaimed clothing changes. [Ch. 931]
SB 441 - Redevelopment changes, as amended in Senate 6/7. [Ch. 932]
SB 465 - Water use controls (Senate committee substitute 6/21) as amended in House 6/23. [Ch. 933]
SB 476 - Minor's auto insurance, as amended in Senate 6/2. [Ch. 934]
SB 515 - Insuring out-of-state (Senate committee substitute 6/7). [Ch. 935]
SB 516 - Title insurance, land guarantee. [Ch. 936]
SB 517 - Watchmaking Board, as amended in Senate 6/6 and in House 6/21 and 6/22. [Ch. 937]
SB 528 - Insurance company acquired. [Ch. 938]
SB 549 - Minor's divorce suits, as amended in House 6/22. [Ch. 939]
SB 559 - Vessel pilots' license. [Ch. 940]
SB 566 - Cities' travel expense payment. [Ch. 941]
SB 571 - Insurance - power of attorney. [Ch. 942]
SB 579 - Fed. S & L Share guarantee. [Ch. 943]
SB 603 - Ad. val. tax appraisal review. [Ch. 944]
SB 604 - Substitute trustee validation, as amended in Senate 6/9. [Ch. 945]
SB 607 - Interstate mining compact, as amended in Senate 6/9. [Ch. 946]
SB 610 - Non-resident trustee agents, as amended in Senate 6/9. [Ch. 947]
SB 611 - Next of kin definition. [Ch. 948]
SB 612 - Probate by service spouses. [Ch. 949]
SB 613 - Corporate merger registration. [Ch. 950]
SB 667 - (Guilford) High Point ABC profits. [Ch. 951]
HB 343 - Protecting bears. [Ch. 953]
HB 401 - Rules of Civil Procedure, as amended in House 5/31. [Ch. 954]
HB 456 - Education Assistance changes. [Ch. 955]
HB 505 - Fiduciary's allocating expense. [Ch. 956]
HB 542 - Marriage record amendments (House committee substitute 6/13). [Ch. 957]
HB 560 - Mental hospital accounts, as amended in House 5/29. [Ch. 958]
HB 561 - Mental hospital lien, as amended in House 5/29 and 6/1. [Ch. 959]
HB 562 - Mental hospital death lien, as amended in House 6/1. [Ch. 960]
HB 604 - Epileptic drivers licensing (House committee substitute 5/23).[Ch. 961]
HB 618 - Domestic relations warrants. [Ch. 962]
HB 731 - (Henderson) Additional employees, as amended in Senate 6/22. [Ch. 963]
HB 809 - (Alamance, Gaston, Orange, Anson, Caswell, Davie, Guilford, Rockingham and Surry) Ambulance service fees, as amended in House 5/5 and in Senate 6/22. [Ch. 964]
HB 883 - (Caldwell, Alexander) Ad. valorem inventory valuation. [Ch. 965]
HB 1041 - Auto license denial and hearing. [Ch. 966]
HB 1139 - (Rockingham) One big city, as amended in House 6/13. [Ch. 967]
HB 1239 - (Forsyth) CSC small estates admin. [Ch. 968]
HB 1279 - (Dare) ABC enforcement funds change, as amended in Senate 6/22.[Ch. 969]
HB 1280 - (Halifax) Enfield charter revision. [Ch. 970]
HB 1291 - (Cumberland) Auditorium tax, as amended in House 6/14 and Senate 6/21.[Ch.971]

Next session of Senate: 11:00 a.m., Wednesday, June 28, 1967.

BULLETIN NO. 100
Tuesday, June 27, 1967

Sessions: House -- 10:30 a.m. and 1:30 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE, 10:30 A.M. SESSION

HB 1410 - Introduced by Exum
"To authorize State Agencies to reimburse employees for transportation by privately owned automobiles at the rate of ten cents (10¢) per mile where such funds are available." [Amends GS 138-6(a)(1) (allowance of eight cents per mile for travel on State business in private car) to provide for reimbursement at 10¢ per mile if funds are available without additional appropriation. Effective July 1, 1967.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

None

HOUSE CALENDAR ACTION -- 10:30 A.M. SESSION

PUBLIC BILLS

SB 69 - Congress Dist. Mills - Griffin, (Senate committee substitute 5/9). Amended to remove Hoke from District 8 to District 7. Floor amendments adopted to: remove Davidson from District 5 to District 6, remove Caswell and Rockingham from District 6 to District 5, remove Gaston from District 9 to District 10, remove Wilkes and Iredell from District 10 to District 9; remove Mitchell from District 10 to District 11, and to make technical changes. Passed second and third readings.
SB 106 - Alimony revision, as amended in Senate 6/2. Reported favorably.
SB 107 - Custody-support revision, as amended in Senate 6/2 and 6/7. Reported favorably.
SB 110 - Landfill acquisition, as amended in Senate 6/7. Reported favorably as amended.
SB 394 - Assigned risk liability hike. Reported favorably.
SB 519 - Construction indemnification. Reported unfavorably.
SB 581 - State stadium authority. Reported favorably as amended.
SB 587 - Interstate motor carrier fee. Reported favorably.
SB 635 - Honorary bar members. Reported unfavorably.
SB 645 - Personnel act exemptions. Reported favorably.
SB 687 - Issuing subpoena duces tecum. Reported favorably.
SB 694 - Meals for sequestered jurors. Reported favorably.
SB 716 - School of arts revenue bonds. Received from Senate; sent to Calendar Committee; withdrawn from Calendar Committee and placed on today's calendar.
SB 718 - Judicial discretion, as amended in Senate 6/23. Reported favorably.

HB 85 - Unsecured bail bonds. Reported unfavorably.
HB 157 - Good neighbor council. Reported favorably.
HB 503 - Marriage license consent. Reported unfavorably.
HB 541 - Uniform register of deeds fees, as amended in House 6/23 and 6/26. Passed third reading in House on Monday, June 26, 1967.
HB 563 - Realty stamp tax, as amended in Senate 6/23, and 6/26. Received for concurrence in Senate amendments; concurred.
HB 580 - Interstate education compact. Reported favorably.
HB 969 - Small watershed changes (House committee substitute, 5/26) as amended in House 5/30 and in Senate 6/23. Received for concurrence in Senate amendmane; concurred.

HR 1026 - (Joint Resolution) Public school study commission. Reported favorably as amended.
HB 1056 - Revenue bonds, facility housing. Reported favorably.
HB 1078 - Historic Murfreesboro Comm. Amended to reduce appropriation from $30,000 to $5,000 with provision that $5,000 be matched by equal amount from non-State sources. Passed second and third readings.
HB 1204 - Deeds, etc., as security. Reported unfavorably.
HB 1205 - Safe deposit box garnishment. Reported unfavorably.
HB 1328 - Distinctive hunter's markings. Reported favorably as amended.
HB 1374 - Rescue squads. Reported favorably as to committee substitute. Committee substitute adopted providing as follows: Amends SL 1967, Ch. 343 (HB 159) to delete language of GS 130-3(a) which excluded rescue vehicles from definition of "ambulance". Amends cited Act by adding new (5) to GS 130-234 providing that vehicles owned and operated by rescue squads chartered by State as non-profit corporations or associations or by rescue squads authorized by GS 160-191.11 which are not regularly used to transport sick and injured are exempt from Article 26 (Regulation of Ambulance Services). (Original is in substance identical).
HB 1385 - Misc. workmen's comp. changes. Reported favorably as amended.
HB 1402 - Prepayment penalty, home loans. Reported favorably.

LOCAL BILLS

SB 624 - (Polk) Electing principal. Received from Senate; sent to Calendar Committee.
SB 642 - (Lenoir) Kinston CATV franchises. Received from Senate; sent to Calendar Committee.
SB 644 - (Union) Monroe contracts. Reported unfavorably.
SB 710 - (Henderson) School board election. Received from Senate; sent to Calendar Committee.
SB 719 - (Halifax) Annexation laws referendum. Received from Senate; sent to Calendar Committee.
SB 724 - (Wake) Raleigh historic sites. Received from Senate; sent to Calendar Committee.
SB 725 - (Cumberland) Fayetteville beer regulation, as amended in Senate 6/26. Received from Senate; sent to Calendar Committee.

HB 564 - (Swain) Loose-leaf registration, as amended in Senate 6/22. Received for concurrence in Senate amendment; failed to concur.
HB 1363 - (Craven) New Bern historic sites. Passed.

Recessed at 12:50 p.m. to reconvene at 1:30 p.m.

PUBLIC BILLS INTRODUCED -- 1:30 P.M. SESSION

HR 1411 - (Joint Resolution) Introduced by Johnston of Duplin
"Authorizing the President of the Senate and the Speaker of the House to provide for improvements of Legislative Library." [Authorizes cited officials to agree with State Library for Library rebinding of House and Senate Journals 1850-1905 which are kept in Legislative Library; one copy of each journal to be returned to Legislative Library and State Library to keep extra copies.] Passed three readings and sent to Senate.

HB 1412 - Introduced by Barbee
"To amend Chapter 775, Session Laws of 1967, relating to elections and election laws." [Amends cited Act (HB 146) by amending GS 163-1(c) to provide that US Senators to be elected at regular election immediately before termination of regular term (now, at regular election for Governor immediately before termination of regular term).] To Calendar Committee.

LOCAL BILLS INTRODUCED -- 1:30 P.M. SESSION

HB 1413 - (Orange) Introduced by Stanford
"To authorize the town of Chapel Hill to exchange certain real estate." [Authorizes town to convey to John W. Umstead, Jr., or corporation designated by him, land described by metes and bounds.] To Calendar Committee.

HOUSE CALENDAR ACTION -- 1:30 P.M. SESSION

PUBLIC BILLS

SB 33 - Education board elections, (Senate committee substitute 6/7), as amended in Senate 6/12. Passed second and third readings.
SB 69 - Congress-Dist. Mills-Griffin, (Senate committee substitute 5/9) as amended in House 6/27. The Speaker appointed the following members to conference committee: Representatives High, Vaughn, Erwin, Eagles and Quinn.
SB 428 - Unused license plate refund. Passed second and third readings.
SB 555 - Department of Corrections, (Senate committee substitute 6/9), as amended in Senate 6/23. Received from Senate; placed on today's calendar; passed second and third readings.
SB 560 - Hours of female employment. Passed second and third readings.
SB 618 - Liability insurance coverage. Postponed to 6/28.
SB 631 - Art Museum Bldg. Comm'n, as amended in Senate 6/16. Postponed to 6/28.
SB 679 - County land fill bonds. Passed second reading.
SB 703 - Military base Sunday hunting. Passed second and third readings.
SB 716 - School of arts revenue bonds. Postponed to 6/28.

HB 156 - Nursing education funds. Amendment adopted reducing appropriation from General Fund to State Board of Education under Act from $1,200,000 to $300,000; reduces distribution of financial assistance under act to eligible nursing units or hospitals from $300 per student to $100. Passed second and third readings.
HB 169 - ECC stadium addition. Amendment adopted to limit revenue bonds to amount not in excess of $600,000. Passed second reading.
HB 199 - Sanitary scallops. Passed second and third readings.
HB 296 - State aid for airports, (House committee substitute 4/6). Amendment adopted reducing appropriation from General Fund to C&D under Act for fiscal year 1967-68 from $500,000 to $250,000; deletes appropriation for fiscal year 1968-69 entirely (original bill $500,000). Passed second and third readings.
HB 462 - Roanoke workshop bldg. funds. Amendment adopted reducing appropriation from General Fund to Roanoke Island Historical Association for construction of educational workshop building from $50,000 to $15,000. Passed second and third readings.
HB 524 - Teachers for retarded funds. Amendment adopted reducing appropriation from General Fund to State Board of Education for scholarship fund to aid students training as teachers for mentally retarded children from $200,000 to $100,000. Adds provision that scholarship recipients agree toteach in NC education system for period equal to that for which aid given; amount of scholarship aid repaid under Act may be reduced by State Board by same amount per year of service as was granted per year of scholarship aid. Passed second and third readings.
HB 528 - Commission on Women. Amendment adopted limiting disbursements from Contingency and Emergency Fund for subsistence and travel of Commission members to $3,000 in any one year. Passed second and third readings.
HB 904 - Advancement School Funds. Amendment adopted providing that Board members to receive same per diem and be reimbursed for expenses in same manner as other State boards generally (original bill provided reimbursement for actual expenses). Passed second and third readings.

HB 911 - Retarded children care funds. Passed second and third readings.
HB 919 - NC Capital Bldg. Authority, (House committee substitute 6/26). Postponed to 6/28.
HB 965 - Yam weevil indemnity. Amendment adopted restricting application of Act to indemnity of seed (new) potatoes destroyed by sweet potato weevil. Passed second and third readings.
HB 973 - Beef production training funds. Amendment adopted providing that all proceeds of sale of cattle raised in performance of training program in excess of amount necessary to maintain herd at initial level to be placed in General Fund. Passed second and third readings.
HB 1036 - Dispenser tax changes, as amended in House 6/23 and 6/26. Vote by which passed second reading reconsidered; vote by which House amendment of 6/26 adopted, reconsidered; passed second reading.
HB 1045 - School bus tort claims. Passed second and third readings.
HB 1051 - Blandwood appropriation. Amendment adopted reducing from $100,000 to $5,000 appropriation from General Fund to Dep't of Archives and History for partial purchase money of Blandwood estate. Passed second and third readings.
HB 1135 - Cotton quality improvement. Passed second and third readings.
HB 1155 - Department of Correction, (House committee substitute 6/20). Floor amendments adopted identical with Senate amendments to SB 555, digested in Bulletin No. #98 at pg. 1002. Postponed indefinitely.
HB 1203 - Mortgage foreclosure notice, as amended in House 6/23. Floor amendment adopted providing that affidavit of mailing of notice of sale under act filed with clerk of superior court shall constitute conclusive evidence of mailing (in original, constitutes prima facie evidence). Failed to pass third reading.
HB 1217 - Fruit enforcement funds. Passed second and third readings.
HB 1233 - Subdivision control revisions. Postponed to 6/28.
HB 1282 - Advis. Budget Chmn. expenses. Passed second and third readings.
HB 1283 - Speaker-Pres. Pro Tem expenses. Passed second and third readings.
HB 1317 - Fruit vegetable appropriation. Passed second and third readings.
HB 1382 - Pre-need burial contracts. Passed second and third readings.
HB 1383 - Osteopathic practice amdts. Postponed to 6/28.
HB 1408 - Local school budget add-ons. Passed second reading.

LOCAL BILLS

SB 620 - (Henderson) No crop dusting near towns, as amended in Senate 6/16. Postponed to 6/28.

HB 564 - (Swain) Loose-leaf registration, as amended in Senate 6/22. The Speaker appointed the following members to Conference Committee: Representatives Leatherman, Staton, Taylor of Transylvania.
HB 706 - (Gaston) Cramerton incorporation, as amended in House, 6/7 and in Senate 6/21. Received for concurrence in Senate amendment; put on calendar for 6/28.
HB 1242 - (Buncombe) Longer loose-leaf registration. Amendment adopted making Act applicable to Buncombe County only. Passed second and third readings.
HB 1322 - (Yadkin) Jonesville-Arlington merger, as amended in Senate 6/22. Recalled from enrolling office. Vote by which concurred in Senate amendment reconsidered.

The Speaker appointed Representative Whicker to fill the position of Representative Hege on the Calendar Committee.

Next session of House: 11:00 a.m., Wednesday, June 27, 1967.

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BULLETIN NO. 101

Wednesday, June 28, 1967

Session: Senate -- 11:00 a.m. and 3:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE, 11:00 A.M. SESSION

SB 734 - Introduced by Evans
"To appropriate funds for the establishment and maintenance of kindergarten classes in selected rural and urban communities." [Appropriates $150,000 to State Board of Education for fiscal '68--'69 for purpose indicated in title; classes so established to be under immediate jurisdiction of county or city board of education and operated in accordance with rules and regulations recommended by State Superintendent of Public Instruction and approved by State Board of Education. Effective July 1, 1968.] To Calendar Committee.

SB 735 - Introduced by Henley, Bailey and Coggins
"To authorize State agencies to reimburse employees for transportation by privately owned automobiles at the rate of ten cents (10¢) per mile where such funds are available." [Amends GS 138-6 (travel allowances for State employees) to provide as title indicates (now, eight cents per mile regardless of availability of funds permitting higher allowance). Effective July 1, 1967. Identical with HB 1410, digested in yesterday's bulletin p. 1031.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE, 11:00 A.M. SESSION

SB 733 - (Harnett) Introduced by Morgan, Allsbrook, Bailey, Bridgers, Byrd, Futrell, Hancock, Moore, Rauch, and Scott.
"To repeal the Charter of Buie's Creek in Harnett County." [As title indicates; charter is Ch. 253, Priv. L. 1903 and amendments.] To Calendar Committee.

SB 736 - (Cabarrus) Introduced by Boger
"To authorize discretionary increases in the compensation of certain officials of the City of Concord." [Amends SL 1953, Ch. 303 to provide for specified officials to receive salaries not exceeding following amounts: mayor $2,800 (now, provides $1,400); aldermen, each $2,400 (now, provides $600); chairman of light & water comm'rs $800 (now, provides $600); other members of light and water comm'rs $400 (now provides $200). Salaries to be determined by board of aldermen within specified limits. Effective July 1, 1967.] To Calendar Committee.

SENATE CALENDAR ACTION -- 11:00 A.M. SESSION

PUBLIC BILLS

SB 73 - Nursing education funds. Amendments adopted reducing from $1,200,000 to $300,000 appropriation to Board of Education for nursing education assistance and reducing from $300 to $100 payments per student for distribution of funds to nursing programs. Postponed Indefinitely.

SB 77 - Good Neighbor Council, as amended in Senate 3/9. Passed second and third readings.

SB 100 - Vagabond Drama School app. Amendment adopted reducing from $25,000 to $4,000 appropriation to Vagabond School of Drama for fiscal '67-'68 and eliminating $25,000 appropriation for '68-'69. Passed second and third readings.

SB 108 - Civil actions, illegitimates, as amended in House 6/23. Concurred in House amendments.

SB 132 - State aid for airports (Senate committee substitute 6/26). Postponed indefinitely.

SB 153 - Chief Medical Examiner, as amended in Senate 4/25. Amendment adopted reducing from $90,000 to $42,500 appropriation for each year of biennium to Board of Health for implementation of medical examiner system. Passed second and third readings.

SR 177 - (Joint Resolution) Conservation-development study. .(Senate committee substitute 5/3). Passed second and third readings.

SB 184 - Sanitary Scallops. Postponed indefinitely.

SB 203 - Interstate education compact amendments. Amendment adopted adding Chairman of State Board of Higher Education and Director of Higher Education as additional ex officio members of North Carolina Education Council. Passed second and third readings.

SB 242 - Teachers for retarded funds. Postponed indefinitely.

SB 308 - Solicitor districts and duties (Senate committee substitute 6/26). Passed second and third readings.

SB 408 - Pilot retarded care funds. Amendment adopted eliminating $112,048 appropriation for first year of biennium to Department of Mental Health for operation of pilot community mental health complexes, eliminating $659,000 for second year of biennium, and substituting $112,048 appropriation starting with second year of biennium; and by deleting break-down of budgeting of funds to each of facilities (leaving budgeting as Budget Division of Department of Administration may direct). Passed second and third readings.

SB 413 - Ordinance hearing. Reported favorably as to Senate committee substitute. Senate committee substitute adopted making following changes from original bill: (1) limits application of Act to ordinances prohibiting or regulating Sunday business(originally applied broadly to all police power and other municipal ordinances); (2) eliminates requirement that newspaper notices required under Act be published in newspaper "having general circulation" in municipality (deletes quoted words); (3) reduces from 30 to 27 days the period for public posting of notice when newspaper unavailable; (4) provides that Act not to apply to ordinances enacted pursuant to GS 18-107 (regulation of beer and wine sales), nor to ordinances enacted before July 1, 1967; (5) makes Act effective July 1, 1967 (originally, on ratification).

SB 434 - Yam weevil indemnity. Postponed indefinitely.

SB 439 - Beef production training funds. Postponed indefinitely.

SB 474 - Insurance premium finance fees. Amendment adopted setting license fee for B type license at $950 (originally $600). Passed second reading.

SB 491 - Dispenser tax changes. Amendment adopted requiring that tax be paid at rate of 6/10 of 1% of gross receipts from cigarette sales, and 1/10 of 1% of gross receipts from all other sales (original set rate at "1/10 of 1% of such gross receipts"); and making clarifying and technical changes. Floor amendment adopted exempting newspapers from taxes levied in act. Placed on calendar for 6/29.

SB 557 - Additional judges, 5 districts. Amendment adopted adding provision appropriating $117,500 for each year of 1967-69 biennium. Passed second and third readings.

SB 568 - Constitutional officers' pay. Amendment adopted setting salary of members of Council of State and Attorney General at $20,000 per year as of January 1, 1969. (Original provided that said salaries be same as fixed from time to time for Associate Judges of Court of Appeals.) Passed 2nd & 3rd readings.

SB 583 - Mecklenburg alcoholic center (Senate committee substitute 6/26). Passed second and third readings.

SB 584 - Fruit enforcement funds. Postponed indefinitely.

SB 601 - Motorboat gas tax allocation. Amendment adopted to include maintenance of inlets among those purposes for which expenditures of special funds to be limited.

SB 630 - Dist. Ct., Zebulon and Vance. Recalled from Courts and Judicial Districts and rereferred to Calendar Committee.

SB 638 - Advis. Budget Chmn. expenses. Postponed indefinitely.

SB 639 - Speaker-Pres. Pro Tem expenses. Postponed indefinitely.

SB 661 - State ABC officers, arrests. Reported unfavorably.

SB 674 - Coastal Plains Regional Comm'n. Passed second and third readings.

SB 697 - Lt. Governor's compensation. Amendment adopted setting Lieutenant Governor's salary at $5,000 (original $15,000). Passed 2nd & 3rd readings.

HB 156 - Nursing education funds, as amended in House 6/27. Received from House; placed on calendar. Passed second and third readings.

HB 199 - Sanitary scallops. Received from House; placed on calendar. Passed second and third readings.

HB 296 - State aid for airports (House committee substitute 4/6), as amended in House 6/27. Received from House; placed on calendar. Passed second and third readings.

HB 297 - Alcoholic rehabilitation funds (Senate committee substitute 6/26). Postponed to 6/29.

HB 334 - 10¢ Alcoholic rehab. II (House committee substitute 5/26), as amended in House 5/30. Reported unfavorably.

HB 462 - Roanoke workshop bldg. funds, as amended in House 6/27. Received from House; placed on calendar.

HB 467 - Veterans Comm'n & Scholarships, as amended in House 5/12. Amendment adopted adding provision to Section 9 that all other persons who have been granted a scholarship under GS 116-150, excluding those covered by proviso of GS 116-150, and who attend a State educational institution on or after July 1, 1967, to be entitled for remainder of their period of scholarship eligibility to benefits now provided for in GS 165-21.

HB 524 - Teachers for retarded funds, as amended in House 6/27. Received from House; placed on calendar. Passed second and third readings.

HB 528 - Commission on Women, as amended in House 6/27. Received from House; placed on calendar.

HB 682 - Wrongful death damages, as amended in House 5/15 and 5/16. Reported unfavorably.

HB 904 - Advancement school funds, as amended in House 6/27. Received from House; placed on calendar.

HB 911 - Retarded children care funds. Received from House; placed on calendar.

HB 918 - Numbered legislative seats, as amended in House 6/9 and 6/12 (Senate committee substitute 6/23). Reported favorably and placed on calendar. Floor amendment adopted making act inapplicable to House district #25. Passed second reading.

HB 921 - Out-state adopted children, as amended in House 6/2. Reported favorably.

HB 965 - Yam weevil indemnity, as amended in House 6/27. Received from House; placed on calendar. Passed second and third readings.

HB 973 - Beef production training funds, as amended in House 6/27. Received from House; placed on calendar. Plassed second and third readings.

HB 1036 - Dispenser tax changes, as amended in House 6/23 and 6/26. Received from House; placed on calendar for 6/29.
HB 1045 - School bus tort claims. Received from House; placed on calendar.
HB 1076 - Credit card misuse, as amended in House 6/22 and 6/26. Received from House; sent to Calendar Committee.
HB 1077 - Pest Control Act of 1955 (House committee substitute 6/20). Reported favorably as amended.
HB 1078 - Historic Murfreesboro Comm., as amended in House 6/27. Received from House; placed on calendar.
HB 1133 - Watershed assessment payment. Passed second reading.
HB 1135 - Cotton quality improvement. Received from House; placed on calendar.
HB 1172 - Uninsured motorist insurance, as amended in House 6/12. Reported favorably as amended.
HB 1217 - Fruit enforcement funds. Received from House; placed on calendar. Passed second and third readings.
HB 1282 - Advis. Budget Chmn. expenses. Received from House; placed on calendar. Passed second and third readings.
HB 1283 - Speaker-Pres. Pro Tem expenses. Received from House; placed on calendar. Passed second and third readings.
HB 1317 - Fruit-Vegetable Appropriation. Received from House; placed on calendar.
HB 1382 - Pre-need burial contracts. Received from House; sent to Calendar Com.
HR 1411 - (Joint Resolution) Legislative Library binding. Received from House; sent to Calendar Committee.

LOCAL BILLS

HB 838 - (Hyde) Drainage district treasurer. Passed.
HB 868 - (Cabarrus) Home tax rule. Reported unfavorably.
HB 1242 - (Buncombe) Longer loose-leaf registration, as amended in House 6/27. Received from House; sent to Calendar Committee.
HB 1322 - (Yadkin) Jonesville-Arlington merger, as amended in Senate 6/22. Received from House; placed on calendar. Vote by which bill passed third reading reconsidered. Floor amendment adopted providing that five persons who receive highest number of votes for Town Councilman to be declared elected. (Original provides that three persons from Jonesville residence voting district who receive highest number of votes, and two persons from Arlington residence voting district who receive highest number of votes, to be declared elected.) Passed third reading.
HB 1363 - (Craven) New Bern historic sites. Received from House; sent to Calendar Com.
HB 1370 - (Martin) Marking ballots. Passed.
HB 1371 - (Guilford) Solicitors' salaries. Passed.
HB 1409 - (Columbus) Fair Bluff boundaries. Received from House; placed on calendar 6/29.
HB 1414 - (Pitt) Board of education garage. Received from House; placed on calendar. Passed.
HB 1416 - (Alexander) County-city water system. Received from House; placed on calendar. Passed.

Recessed at 2:30 p.m. to reconvene at 3:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE, 3:00 P.M. SESSION

SB 737 - Introduced by White of Lenoir by request
"Relative to compensation of employees of the General Assembly." [Rewrites GS 120-33 (compensation of General Assembly employees) to provide following increases in daily compensation for indicated employees (present compensation appears in parentheses): chaplains $12 ($10); journal clerks, calendar clerks, and chief engrossing

clerks--$19 ($17); assistants to calendar and journal clerks, clerks to committees on finance and appropriations, disbursing and joint disbursing clerks, and secretary to Speaker of House--$17 ($15); assistants to engrossing clerks, committee clerks, and assistants appointed by Secretary of State to supervise enrolling--$15 ($13); laborers and assistants to sergeants-at-arms authorized by law or rules--$11 ($9). Deletes secretary to Lieutenant Governor from those covered by section. Retroactive to April 15, 1967.] To Appropriations.

SB 738 - Introduced by White of Lenoir
"To amend sections of the General Statutes relating to salaries of executive officers of the State government as authorized by Article III, Section 5, of the North Carolina Constitution." [Identical with HB 1415, digested in the House section of today's bulletin.] To Appropriations.

SB 739 - Introduced by White of Lenoir
"To amend Chapter 18 of the General Statutes to provide for expenditures of funds from alcoholic beverage control stores." [Amends GS 18-45(15) to authorize county and municipal ABC boards to expend up to 5% of their net profit for research (as well as for education) on effects of use of alcoholic beverages and rehabilitation of alcoholics.] To Calendar Committee.

SB 740 - Introduced by White of Lenoir and others
"To create a system for commending members of the State Highway Patrol who distinguish themselves meritoriously in the performance of official duties." [Identical with SB 569 digested in Bulletin No. 80 at page 786 except that it deletes $8,000 appropriation to Department of Motor Vehicles to provide for cash awards and to carry out act and provides instead that recipients of awards to be entitled to receive a framed certificate of award and an insignia designed to be worn as part of Patrol uniform.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- SENATE, 3:00 P.M. SESSION

None

SENATE CALENDAR ACTION--3:00 P.M. SESSION

PUBLIC BILLS

SB 187 - Provisional license suspension. Reported favorably as amended.
SB 409 - NC Capital Bldg. Authority. Passed second and third readings.
SB 659 - District court jury demand. Recalled from Courts and Judicial Districts; rereferred to Calendar Committee.
SB 689 - Flag desecration changes. Passed second and third readings.
SR 726 - (Joint Resolution) LRC Water Resource Law study. Passed 2nd & 3rd readings.
SB 727 - Amends SB 2, State exemption. Passed second and third readings.
SB 730 - Investment of remainder. Passed second and third readings.

HB 80 - Retirement benefits exemption, as amended in House 6/19. Passed second and third readings.
HB 169 - ECC stadium addition, as amended in House 6/27. Received from House; put on calendar.
HB 320 - Unsecured bail bonds II, as amended in House 5/30 and in Senate 6/23. Passed third reading.
HB 462 - Roanoke workshop bldg funds, as amended in House 6/27. Passed second and third readings.
HB 528 - Commission on women, as amended in House 6/27. Passed second and third readings.
HB 558 - 18-year school attendance, as amended in House 6/13 and Senate 6/27. Vote by which failed to pass second reading reconsidered. Failed to pass second reading.

HB 904 - Advancement school funds, as amended in House 6/27. Passed second and third readings.
HB 908 - Liens on personal property, as amended in House 5/24. Passed second and third readings.
HB 911 - Retarded children care funds. Passed second and third readings.
HB 926 - Realty license revocation. Passed second and third readings.
HB 1045 - School bus tort claims. Passed second and third readings.
HB 1051 - Blandwood appropriations, as amended in House 6/27. Received from House; placed on calendar. Passed second and third readings.
HB 1078 - Historic Murfreesboro Comm., as amended in House 6/27. Passed second and third readings.
HB 1135 - Cotton quality improvement. Passed second and third readings.
HB 1317 - Fruit-vegetable appropriation. Passed second and third readings.
HB 1376 - Forsyth courts, retirement, as amended in House 6/28. Received from House; sent to Calendar Committee.

LOCAL BILLS

HB 1351 - (Tyrrell) Commissioners compensation. Received from House; sent to Calendar Committee.
HB 1367 - (Gaston) Gastonia court clerks pay. Received from House; sent to Calendar Committee.
HB 1398 - (Graham) School board election. Received from House; sent to Calendar Com.
HB 1399 - (Cleveland) Kings Mtn. election hours. Received from House; sent to Calendar Committee.
HB 1404 - (Hyde) Waterfowls shooting hours. Received from House; sent to Calendar Committee.
HB 1405 - (Hyde) Englehard land conveyance. Received from House; sent to Calendar Committee.
HB 1407 - (Macon) School board election. Received from House; sent to Calendar Com.

Next session of Senate: 12 noon, Thursday, June 29, 1967.

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BULLETIN NO. 101
Wednesday, June 28, 1967

Sessions: House -- 11:00 a.m. and 2:30 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE, 11:00 A.M. SESSION

HB 1415 - Introduced by Greenwood
"To amend sections of the General Statutes relating to salaries of executive officers of the State government as authorized by Article III, Section 5, of the North Carolina Constitution." [Amends 147-35, GS 147-55, GS 147-65, GS Ch. 115, GS 114-7, GS 106-11, GS 95-2, and GS 58-6 to set salary of Secretary of State, State Auditor, State Treasurer, State Superintendent of Public Instruction, Attorney General, Commissioner of Agriculture, Commissioner of Labor, and Commissioner of Insurance at $20,000 each (now $18,000 each). Effective January 1, 1969. Identical with SB 738.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE 11:00 A.M. SESSION

HB 1414 - (Pitt) Introduced by Forbes and Rountree
"To authorize the Pitt County Board of Education to construct a new garage facility." [Authorizes Pitt County Board of Education to construct new garage facility and related storage areas, total cost not to exceed $75,000, out of "any available funds which the County Board of Education may have on hand."] Passed three readings and sent to Senate.

HB 1416 - (Alexander) Introduced by Tate, Erwin and Kincaid
"To permit the Town of Taylorsville and Alexander County to purchase a water system." [Authorizes governing boards of Taylorsville and Alexander County to jointly or severally purchase water system from Alexander Water Corporation, upon such terms as they deem best for interests of respective governing units in assuring adequate water supply. If system purchased jointly, town and county authorized to contract with each other with regard to purchase, operation and maintenance thereof.] Passed three readings and sent to Senate.

HOUSE CALENDAR ACTION -- 11:00 A.M. SESSION

PUBLIC BILLS

SB 19 - Budget appropriations, (Senate committee substitute 6/26), as amended in Senate 6/27. Received from Senate, placed on calendar; passed second and third readings.
SB 20 - Capital appropriations, (Senate committee substitute 6/26). Received from Senate, placed on calendar; passed second and third readings.
SB 271 - State Board of Assessment, as amended in Senate 6/16. Reported favorably as amended.
SB 468 - Young drivers suspension, as amended in Senate 6/16. Reported favorably.
SR 497 - (Joint Resolution) LRC tire study. Reported favorably.
SB 518 - Liability ins. limits, as amended in Senate 6/16 and 6/19. Reported favorably.
SB 588 - Marking motor carriers. Withdrawn from Calendar Committee; sent to Public Utilities.
SB 589 - Utilities laws publications. Withdrawn from Calendar Committee; sent to Public Utilities.
SB 590 - Natural gas pipeline safety, as amended in Senate 6/23. Withdrawn from Calendar Committee; sent to Public Utilities.
SB 591 - Exempt carrier safety rules, as amended in Senate 6/23. Withdrawn from Calendar Committee; sent to Public Utilities.
SB 592 - Excursion vehicle repealer. Withdrawn from Calendar Committee; sent to Public Utilities.

SB 646 - Insurance co. stock purchase, as amended in Senate 6/27. Received from Senate; sent to Calendar Committee.
SB 679 - County land fill bonds. Passed third reading.
SB 693 - Hwy Patrol longevity pay. Received from Senate; sent to Calendar Committee.
SR 698 - (Joint Resolution) Bird dog field trials. Received from Senate; sent to Calendar Committee.
SB 707 - Inheritance tax refunds. Reported favorably.
SB 713 - Driver license fees. Received from Senate; sent to Calendar Committee.

HB 33 - Capital appropriations, (House committee substitute 6/26). Postponed indefinitely.
HB 34 - Budget appropriations, (House committee substitute 6/26). Floor amendments adopted identical with Senate amendments to SB 19, digested in Bulletin No. 100 at page 1029. Postponed indefintely.
HB 169 - ECC stadium addition, as amended in House 6/27. Passed third reading.
HB 310 - State trademarks, as amended in House 6/19 and in Senate 6/27. Received for concurrence in Senate amendment; concurred.
HB 379 - Technical changes revenue laws. Reported favorably as amended; amendments adopted identical with committee substitute, as amended for SB 183, digested at Bulletin pages 1001 and 1015 providing as follows: (1) deletes provision that in determining total tax payable by railroad company, credit to be allowed on amount of intangible tax paid during preceding franchise tax year on bank deposits; (2) rewrites GS 105-122 to provide that every domestic or foreign corporation domesticated under laws of NC or doing business in NC must by the 15th day of third month following end of its income year annually deliver to Commissioner of Revenue a report containing facts and information required by Commissioner as shown by records of corporation at close of income year, and sets out form for affirmation of such return; (3) deletes that portion of GS 105-122(c)(1) referring to "last preceding income period ending more than 90 days prior to due date of return required under article"; (4) deletes provision removing from GS 105-122 requirement that tax be payable "under GS 105-115"; (5) provides that corporations subject to provisions of section pay $10 franchise when return is due, for period from date of incorporation, domestication or commencement of business in State through last day of then current income year, but in no case to exceed 53 weeks (original, provides that such franchise tax due from "commencement of business in State through June thirtieth next following"); (6) deletes definition of "doing business" as any act, or engaging in any activity operation or enterprise for purpose of financial profit or gain and/or ownership, renting or leasing of property for such purposes; (7) deletes provision that if Commissioner finds from clear, cogent evidence that any corporation's net income for any year as apportioned or allocated to State is substantially less than is reasonably attributable to corporation's business in State, he may require corporation to compute its net taxable income to State on basis of a separate accounting of its income and expenses attributable to its business in State; (8) adds new GS 105-141(b)(12) to exclude from gross income amounts received by members of Armed Services as hostile fire duty pay as authorized by Public Law 88-132 enacted by Congress Oct. 2, 1963; (9) deletes GS 105-142(g)(3)d pertaining to individual who removes himself from State who must report for income tax purposes any unrealized or unreported income from installment sales (original, only deleted provision requiring such individual to file return in given year "unless such individual files a bond with Commissioner of Revenue in such amount and with such sureties as Commissioner deems necessary to secure the payment of any taxes which were deferred"), (10) amends GS Ch. 105, Art. 36B by adding new GS 105-449.24 to provide that provisions of GS 105-439, -446.1 and -449 relating to exemption from, and rebates and refunds of tax levied on gasoline shall also apply to taxes on special fuels, (11) by changing effective date of bill section 13 (intangibles tax amendments) from July 1, 1968 to July 1, 1967; (12) makes several technical

and conforming changes; and (13) provides 3-year (originally 5-year) statute of limitations for prosecutions for attempts to evade or defeat tax under GS 105-236.

HB 545 - Perpetual care cemetaries, (House committee substitute 5/10), as amended in House 5/17 and in Senate 6/22 and 6/27. Received for concurrence in Senate amendment; concurred.

HB 1036 - Dispenser tax changes, as amended in House 6/23 and 6/26. Passed third reading.

HB 1056 - Revenue bonds, facility housing. Passed second reading.

HB 1345 - County election officials. Reported favorably as amended.

HB 1376 - Forsyth courts, retirement. Reported favorably as amended 6/27. Amendment adopted to provide that employees of Forsyth County and municipalities therein who become State employees on first Monday in December, 1968 under Judicial Department Act of 1965 "shall be protected with regard to their retirement benefits" (Substitutes quoted words for "shall not suffer the loss of any retirement benefits as a result of such transfer."). Passed second and third readings.

HB 1380 - ABC-store wines: no 5¢ tax. Reported unfavorably.

HB 1393 - Liquified petroleum standards. Reported favorably as amended.

HB 1406 - Bail bondsmen register. Reported favorably.

HB 1412 - US Senator election. Reported favorably.

LOCAL BILLS

SB 650 - (Edgecombe) Speed clerk. Passed.

SB 672 - (Cherokee) Voter assistance, as amended in Senate 6/15. Passed.

SB 673 - (Wayne) Process service compensation, as amended in Senate 6/27. Received from Senate; sent to Calendar Committee.

SB 695 - (McDowell) Soil and water conservation aid. Passed third reading.

HB 1351 - (Tyrrell) Commissioners compensation. Passed.

HB 1367 - (Gaston) Gastonia court clerks pay. Passed.

HB 1398 - (Graham) School board election. Passed.

HB 1399 - (Cleveland) Kings Mtn. election hours. Passed.

HB 1403 - (Clay) School board election. Postponed to 6/29.

HB 1404 - (Hyde) Waterfowl shooting hours. Amended to add enacting clause. Passed.

HB 1405 - (Hyde) Englehard land conveyance. Passed.

HB 1407 - (Macon) School board election. Passed.

HB 1409 - (Columbus) Fair Bluff boundaries. Passed third reading.

HB 1414 - (Pitt) Board of education garage. Passed.

HB 1416 - (Alexander) County-city water system. Passed.

Recessed at 1:30 p.m., to reconvene at 2:30 p.m.

HOUSE CALENDAR ACTION, 2:30 P.M. SESSION

PUBLIC BILLS

SB 77 - Good Neighbor Council, as amended in Senate 3/9. Received from Senate; passed second and third readings.

SB 100 - Vagabond Drama School app. Received from Senate; placed on calendar for 6/29.

SB 153 - Chief medical examiner, as amended in Senate 4/25. Received from Senate; placed on calendar for 6/29.

SR 177 - (Joint Resolution) Conservation-development study, (Senate committee substitute 5/3). Received from Senate; sent to Calendar Committee.

SB 183 - Technical changes-revenue laws, (Senate committee substitute 6/23), as amended in Senate 6/26. Received from Senate; placed on calendar 6/29.

SB 203 - Interstate education compact. Received from Senate; passed second and third readings.

SB 308 - Solicitor districts and duties, (Senate committee substitute 6/26). Received from Senate; placed on calendar for 6/29.

SB 408 - Pilot retarded care funds, as amended in Senate 6/28. Received from Senate; placed on calendar 6/29.

SB 409 - NC Capital Bldg. Authority. Received from Senate; passed second and third readings.

SB 557 - Additional judges, 5 districts, as amended in Senate 6/28. Received from Senate; passed second and third readings.

SB 563 - Regional universities and ECU as amended in Senate 6/20. Amendment adopted adding NC Agricultural and Technical State University to provisions of Act.

SB 568 - Constitutional officers' pay, as amended in Senate 6/28. Received from Senate; placed on calendar.

SB 581 - State Stadium Authority. Amendments adopted providing as follows: (1) deletes provision that authority may agree to reasonable conditions imposed on grants; (2) deletes Sec. 9 (that property and income of authority not to be subject to any state or local taxes of assessments) and substitute new Sec. 9 providing that authority not to have the power of eminent domain; (3) deletes Section 18 authorizing Governor and Council of State to make grants to authority from Contingency and Emergency Fund; (4) rewrites Sec. 19 deleting authorization to Department of Administration and other departments or State agencies to "grant or otherwise transfer" property to authority and deletes provision permitting sale, conveyance, lease, etc. of property without advertisement, order of court, or other action or formality; other than usual formalities; (5) deletes provision authorizing state departments or agencies to assist authority without the necessity for any advertisement, order of court, or other action, other than usual formalities.

SB 583 - Mecklenburg Alcoholic Center, (Senate committee substitute 6/26). Received from Senate; placed on calendar for 6/29.

SB 587 - Interstate motor carrier fee. Passed second reading.

SB 588 - Marking motor carriers. Reported favorably.

SB 589 - Utilities laws publication. Reported favorably.

SB 590 - Natural gas pipeline safety, as amended in Senate 6/23. Reported favorably.

SB 591 - Exempt carrier safety rules, as amended in Senate 6/23. Reported favorably.

SB 592 - Excursion vehicle repealer. Reported favorably.

SB 674 - Coastal Plains Regional Comm'n. Received from Senate; placed on calendar for 6/29.

HB 157 - Good Neighbor Council. Postponed indefinitely.

HB 580 - Interstate education compact. Postponed indefinitely.

HB 919 - NC Capital Bldg. Authority, (House committee substitute 6/26). Postponed indefinitely.

HR 1026 - (Joint Resolution) Public school study commission. Amendment adopted increasing membership of commission to 17 (original bill, 15) with additional two appointed by Governor (making total of 11 appointed by Governor); and requiring that four of Governor's appointees be certified public school personnel. Commission charged with additional duties of studying and evaluating special education of handicapped, and the teaching of human values. Required that Commission make exhaustive study of feasibility of operation of public schools on a quarterly, year-round, basis: Commission to study savings factors, utilization of teacher services and convenience of pupils involved in such method of operation. Commission to study other plans and studies of commissions of other states dealing with public school operation on quarterly basis; Commission specifically charged with study of pilot project in progress in Georgia. Passed second and third readings.

HB 1157 - Additional judges, 5 districts. Postponed indefinitely.

LOCAL BILLS

HB 1322 - (Yadkin) Jonesville-Arlington merger, as amended in Senate 6/22 and 6/28. Received for concurrence in Senate amendment. Concurred.

BILLS RATIFIED

SB 33 - Education board elections (Senate committee substitute 6/7) as amended in Senate 6/12. [Ch. 972]
SB 276 - (Mitchell) County officials, as amended in Senate 5/4 and in House 6/22. [Ch. 973]
SB 411 - Fraudulent patient information (Senate committee substitute 6/8) as amended in House 6/23. [Ch. 974]
SB 503 - (McDowell) Old Fort tax rate. [Ch. 975]
SB 527 - Plant pest inspection, as amended in Senate 5/26, and in House 6/26. [Ch. 976]
SB 542 - Fraternal society benefits, as amended in House 6/23. [Ch. 977]
SB 669 - Local govt. retirement changes. [Ch. 978]

HB 43 - Judicial sales changes, as amended in House 5/5. [Ch. 979]
HB 119 - Local bond absentee voting (House committee substitute 6/14), as amended in House 6/15. [Ch. 952]
HB 222 - (Cumberland) Fayetteville beer and wine, as amended in House 3/29 and Senate 6/16. [Ch. 980]
HB 292 - (Pender) Deer preservation (Senate committee substitute 5/19), as amended in House 6/26. [Ch. 981]
HB 304 - (Rowan) Commissioner elections (House committee substitute 4/11), as amended in Senate 6/22. [Ch. 982]
HB 321 - Pay for aged care. [Ch. 983]
HB 543 - Notrary public stamps, as amended in House 6/21. [Ch. 984]
HB 546 - Burial ass'n ass'n't & bonds (House committee substitute 5/10). [Ch. 985]
HB 563 - Realty stamp tax, as amended in Senate 6/23 and 6/26. [Ch. 986]
HB 969 - Small watershed changes (House committee substitute 5/26), as amended in House 5/30 and in Senate 6/23. [Ch. 987]
HB 1119 - (Watauga) Boone aldermen, as amended in House 6/9. [Ch. 988]
HB 1243 - (Wake) Raleigh noncontiguous annex, as amended in House 6/14. [Ch. 989]
HB 1358 - School lunch operating cost, as amended in House 6/23. [Ch. 990]
HB 1379 - (Northampton) School board pay. [Ch. 991]

Next session of House: 10:30 a.m., Thursday, June 28, 1967.

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BULLETIN NO. 102

Thursday, June 29, 1967

Sessions: Senate -- 12 noon and 2:00 p.m. and 7:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE -- 12 NOON SESSION

SR 741 - (Joint Resolution) Introduced by Moore
"Fixing the time and place for a joint session of the Senate and House of Representatives for the election of trustees for the greater University of North Carolina and for confirmation of appointments made during the past two years to the Board of Trustees of State supported colleges, the State Board of Education and other boards." [Provides that Senate and House of Representatives meet in Joint Session Monday, July 3, 1967 at 7:00 p.m. for purpose as indicated in title.] Passed three readings and sent to House.

SR 742 (Joint Resolution) Introduced by Whitehurst and Ellis
"Honoring the life and memory of Graham A. Barden, distinguished citizen of the State of North Carolina and member of the Congress of the United States." [As title indicates. Identical with HR 1421.] Placed on calendar.

LOCAL BILLS INTRODUCED -- SENATE -- 2:00 P.M. SESSION

None

SENATE CALENDAR ACTION -- 12 NOON SESSION

PUBLIC BILLS

SB 8 - Service retirement pay. Reported favorably as amended.
SB 532 - Agricultural land tax. Reported unfavorably.
SR 741 - (Joint Resolution) Election of UNC trustees. Passed second and third readings.
SR 742 - (Joint Resolution) Memorializing Barden. Put on calendar.

HB 749 - Boat sales tax. Reported favorably.
HB 1007 - Employee meals tax break. Reported unfavorably.
HR 1026 - (Joint Resolution) Public school study commission, as amended in House 6/28. Received from House; sent to Calendar Committee.
HB 1304 - Gift tax advance payments. Reported favorably.
HB 1306 - Medical benefits tax exemption. Reported favorably.
HB 1309 - $5,000 inheritance tax exemption. Reported favorably.
HB 1310 - Retired service pay tax. Reported favorably.
HB 1408 - Local school budget add-ons. Received from House; sent to Calendar Committee.
HB 1417 - (Joint Resolution) Honoring Hanft. Received from House; passed second and third readings.

HB 1418 - (Joint Resolution) Honoring Easterling. Received from House; passed second and third readings.
HB 1420 - (Joint Resolution) Electing Uzzell life trustee. Received from House; passed second and third readings.
HB 1421 - (Joint Resolution) Memorializing Barden. Received from House; passed second and third readings.

LOCAL BILLS

SB 623 - (Harnett) School bonds. Passed third reading.

HB 833 - (Richmond) Hamlet ABC profits. Amendment adopted providing that Hamlet ABC Board allocate 10% of net profits to county general fund to be used for Richmond Technical Institute (original 15%) and 90% of net profits to be paid to Hamlet general fund (original 85%). Passed second and third readings.
HB 1249 - (Mecklenburg) Local sales tax, as amended in House 6/20. Floor amendment adopted adding provision that in computing net proceeds, Commissioner of Revenue determine cost of collection of said tax, which cost shall be retained by State before distribution of net proceeds. Passed.
HB 1388 - (Madison) School board election. Passed.
HB 1395 - (Robeson) School board election. Passed.
HB 1396 - (Duplin) School board election. Passed.

The Senate recessed at 1:30 p.m. to reconvene at 2:00 p.m.

SENATE CALENDAR ACTION -- 2:00 P.M. SESSION

PUBLIC BILLS

SB 187 - Provisional license suspension. Amendment adopted adding that license be suspended by Department of Motor Vehicles upon notice to Department "from the principal or superintendent of said licensee's school" (original, only upon notice to Department) and requirement that license not to be reinstated until licensee has furnished satisfactory proof to Department that he has re-entered a school approved by State Board of Education (original, does not require licensee to furnish proof) and requirement that licensee furnish proof that local board of education found licensee incapable of obtaining a higher academic level (original, does not require licensee to furnish proof but requires only that board of education certify to Commissioner such facts). Passed second and third readings.
SB 413 - Ordinance hearing, (Senate committee substitute 6/28. Passed second and third readings.
SB 474 - Insurance premium finance fees, as amended in Senate 6/28. Passed second reading.
SB 491 - Dispenser tax changes, as amended in Senate 6/28. Postponed to 6/30.
SB 563 - Regional universities and ECU, as amended in Senate 6/20 and in House 6/29. Received for concurrence in House amendment; concurred.
SB 630 - Dist. Ct., Zebulon and Vance. Reported favorably.
SR 700 - (Joint Resolution) Civil Procedure Rules study, as amended in Senate 6/16 and in House 6/29. Received for concurrence in House amendment; concurred.
SB 728 - Ed. Assistance Authority. Reported favorably; put on calendar.

HB 169 - ECC stadium addition, as amended in House 6/27. Passed second reading.
HB 921 - Out-state adopted children, as amended in House 6/2. Passed second and third readings.
HR 944 - (Joint Resolution) Local government study comm. (House committee substitute 6/2). Passed second and third readings.
HB 972 - Agency reports to UNC branches. Amendment adopted adding East Carolina College at Greenville to list of institutions receiving certain publications by State officials and department heads. Passed 2nd & 3rd readings.
HB 981 - Funeral expense priority. Amendment adopted reducing from $800 to $600 the amount of funeral expense subject to second class priority in order of payment of debts of decedent that is not to be diminished by Federal benefits to estate or beneficiaries. Passed second and third readings.
HB 987 - Omnibus JP appointments, as amended in House 5/18. Amendments adopted adding justices of peace in specified townships in Halifax, Iredell, Vance, Union, Buncombe, Orange, Sampson and Madison Counties, deleting justices of peace in specified townships in Wake, Mitchell and Yancey counties, and substituting one JP for another in Anson County. Passed second and third readings.
HB 1036 - Dispenser tax changes, as amended in House 6/23 and 6/26. Floor amendment adopted providing that soft drink dispenser tax be set at $8.00 per machine for more than 5 and less than 50 soft drink dispensers (original, as amended in House 6/26, set tax at $6.00 per machine). Vote by which amendment passed reconsidered and floor amendment adopted setting tax at $7.00 per machine. Passed second reading.
HB 1056 - Revenue bonds, facility housing. Received from House; sent to Calendar Com.
HB 1076 - Credit card misuse, as amended in House 6/22 and 6/26. Reported favorably as amended.
HB 1077 - Pest Control Act of 1955 (House committee substitute 6/20). Amendment adopted providing as follows: (1) deletes provisions that license may be revoked or suspended for failure to affix stamps to copy of contract given to customer, and failure to make monthly report; (2) sets annual license fee at $100 (originally, $50) for any one phase of structural pest control as set out in GS 106-65.25; (3) sets additional license fee when, after fee for license for any one phase is paid, holder seeks to secure license for either or both of other two phases at $50 (original $25); (4) sets registration fee for license holder at $20 (originally, $1.00); (5) sets identification card renewal fee at $20 ($1.00); (6) deletes all of Sec. 16 adding new GS 106-65.36 requiring licensed pest control operator to enter into written contracts with his employers; providing for operation fees and their collection; requiring monthly reports to Department and setting penalties for failure to so report; (7) provides that vacancy occurring on Structural Pest Control Committee to be filled by Dean of School of Agriculture of NC State who shall designate persons of his choice to serve on said Committee at his pleasure (original provides that Commissioner of Agriculture to fill such vacancies). Passed second and third readings.
HB 1133 - Watershed assessment payment. Passed third reading.
HB 1146 - Local airport bond maturities. Passed second reading.
HB 1198 - CSC employee sick leave (House committee substitute 6/15), as amended in House 6/22. Reported favorably.
HB 1214 - Dormant carrier franchises. Reported favorably.
HB 1215 - Transferred carrier franchises. Reported favorably.
HB 1216 - Exempt motor carriers. Reported favorably.
HB 1234 - CATV franchises (House committee subsitute 6/22). Reported favorably.
HB 1269 - Blind-handicapped retirement (House committee substitute 6/22), as amended in House 6/22. Reported favorably.
HB 1326 - NHSA benefits to State. Reported favorably.
HB 1356 - Fraudulent license procurement, as amended in House 6/23. Reported fav.

LOCAL BILLS

HB 1397 - (Watauga) Airport Comm'n land acquiring. Received from House; sent to Calendar Committee.

HB 1401 - (Edgecombe, Nash) District Health dept. Received from House; sent to Calendar Committee.

Recessed at 4:15 p.m. to reconvene at 7:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE, 7:00 P.M. SESSION

SB 743 - Introduced by White of Lenoir

"To amend Chapter 62 of the General Statutes so as to fix the salaries of members of the Utilities Commission." [Amends GS 62-10 to provide that salary of each member of NC Utilities Commission shall be same as that of "Judges of the Superior Court" (Adds quoted words, and deletes provision that salary of such commissioners to be same as "highest paid Member of the Council of State."), with chairman to receive $1,000 additional (unchanged). Effective July 1, 1967.] To Appropriations Committee.

LOCAL BILLS INTRODUCED -- SENATE, 7:00 P.M. SESSION

SB 744 - (Brunswick) Introduced by Green

"Creating a statute of limitations for commencement of actions relating to certain roads and streets in Smithville Township, Brunswick County." [Provides that no action to affect title or interest in or to any street, alley or roadway withdrawn from dedication by Agreement of Withdrawal from Dedication and Conveyance recorded in Register of Deeds office to be brought or maintained in any court in State as of January 1, 1968.] To Calendar Committee.

SENATE CALENDAR ACTION -- 7:00 P.M. SESSION

PUBLIC BILLS

SB 110 - Landfill acquisition, as amended in Senate 6/7 and in House 6/29. Received for concurrence in House amendment.

SB 581 - State Stadium Authority, as amended in House 6/28. Received for concurrence in House amendment; concurred.

HB 918 - Numbered legislative seats, as amended in House 6/9 and in Senate 6/28 and 6/29. Floor amendment adopted exempting House district #20 from provisions of act. Passed third reading.

HB 936 - Pre-trial exam State witness (House committee substitute 6/1). Passed second and third readings.

HB 988 - Judgement notice, as amended in House 6/2. Amendment adopted adding provisions that no monies received by clerk of superior court on a judgment shall be paid by him until at least seven days after written or personal notice given to attorney of record in whose favor judgment rendered. Passed second and third readings.

HB 993 - Dam safety certification, as amended in House 6/9. Amendment adopted exempting from Act any dam under single private ownership and "posing no threat to life or property" (originally, "having negligible downstream effects"), exempting dams costing less than $5,000, and adding that applicants for approval of dam subject to provisions of act file with Department certificate of engineer or "contractor" (original, only engineer) legally qualified in state that he is responsible for design of dam and that design is safe and adquate. Floor amendment adopted changing effective date of Act to January 1, 1968 (originally, July 1, 1967). Passed second and third readings.

HB 995 - Well drilling changes (House committee substitute 6/8). Amendment adopted providing that Department not to report results of analysis to any other person until person legally authorized permits release (originally, prohibited release of analysis results until more than one year after report furnished to property owner unless property owner authorized earlier release); and adding provision that act not to repeal any other laws relating to reporting of test drillings or borings on public or State-owned lands. Passed second and third readings.

HB 996 - Water use information (House committee substitute 6/8). Postponed to 6/30.

HB 997 - Flood plain management. Passed second and third readings.

HB 998 - Local water storage assurances. Passed second and third readings.

HB 1004 - Aged auto insurance, as amended in House 6/2 and 6/5. Passed second and third readings.

HB 1030 - NC Burial Ass'n Commission. Postponed to 6/30.

HB 1032 - Reports to Asheville-Biltmore. Passed second and third readings.

HB 1038 - County aid to retarded. Passed second and third readings.

HB 1048 - Big game animals, as amended in House 6/16. Failed to pass second reading.

HB 1079 - Inland water boat pollution. Passed second and third readings.

HR 1085 - (Joint Resolution) Library Study Comm. Passed second and third readings.

HB 1092 - Firelighting deer evidence. Passed second reading.

HB 1097 - Motor vehicle rear lamps (House committee substitute 5/30). Amendment adopted adding requirement that vehicles specified in act have originally equipped rear lamps "or the equivalent" (original refers only to rear lamps) in good working order. Passed second and third readings.

HB 1098 - Workable windshield wipers. Passed second and third readings.

HB 1100 - Amending HB 41, as amended in House 6/9. Passed second and third readings.

HB 1101 - Carrier's gross revenue tax. Passed second reading.

HB 1112 - Mortgage brokers license (House committee substitute 6/8), as amended in House 6/14. Passed second and third readings.

HB 1121 - Guard disability expenses. Amendment adopted adding provision that Attorney General to have right on behalf of State to reduce by compromise its claim. Passed second and third readings.

HB 1126 - Railroad track tampering. Passed second and third readings.

HB 1127 - Injury to realty. Passed second and third readings.

HB 1128 - Validating guardian's sales, as amended in House 6/12. Amendment adopted providing that as of January 1, 1968 (new) no sales of property belonging to minors or incompetents prior to March 30, 1966 be declared invalid "nor shall any claim or defense be asserted on the grounds" that said sale was not made by a duly appointed guardian or on the grounds that minor or incompetent was not represented by guardian (adds quoted words). Passed second and third readings.

HB 1144 - Credit card insurance (House committee substitute 6/13). Postponed to 6/30.

HB 1148 - Attorney-in-fact commissions. Passed second and third readings.

HB 1154 - Insurance fraud penalty. Passed second and third readings.

HB 1161 - Minors in bowling alleys. Amendment adopted qualifying term "minor" wherever it appears in act as person under 18 yrs of age. Passed 2nd and 3rd readings.

HB 1163 - Trip licenses. Passed second and third readings.

HB 1167 - Mutual deposit guaranty ass'ns. Passed second and third readings.

HB 1168 - State employee defense. Passed second and third readings.

HB 1169 - Town, county employee defense. Passed second and third readings.

HB 1171 - Warehouse interstate property. Postponed to 6/30.

HB 1172 - Uninsured motorist as amended in House 6/12. Amendment adopted adding provision that determination of whether a motorist is uninsured may be decided only by an action against the insurer alone and making clarifying changes. Passed second reading.

HB 1173 - Contract carriers permits. Passed second and third readings.

HB 1174 - Contract carrier defined. Passed second and third readings.
HB 1189 - Assigned risk default jdgmts, as amended in House 6/12 and 6/14. Postponed to 6/30.
HB 1197 - Publications to ECC. Received from House; placed on calendar 6/30.
HB 1261 - School laws printing. Received from House; sent to Calendar Committee.
HB 1374 - Rescue squads (House committee substitute 6/27). Received from House; sent to Calendar Committee.
HB 1385 - Misc. workmen's comp. changes, as amended in House 6/29. Received from House; sent to Calendar Committee.
HB 1393 - Liquified petroleum standards. Received from House; sent to Calendar Com.
HB 1402 - Prepayment penalty; have loans. Received from House; sent to Calendar Com.
HB 1412 - US Senator election. Received from House; sent to Calendar Committee.

LOCAL BILLS

HB 1093 - (Nash) Court reporters. Received from House; sent to Calendar Committee.

BILLS RATIFIED

SB 77 - Good Neighbor Council, as amended in Senate 3/9. [Ch. 992]
SB 108 - Civil actions, illegitimates, as amended in House 6/23. [Ch. 993]
SB 409 - NC Capital Bldg. Authority. [Ch. 994]
SB 428 - Unused license plate refund. [Ch. 995]
SB 555 - Department of Corrections (Senate committee substitute 6/9), as amended in Senate 6/23. [Ch. 996]
SB 557 - Additional judges, 5 districts, as amended in Senate 6/28. [Ch. 997]
SB 560 - Hours of female employment. [Ch. 998]
SB 650 - (Edgecombe) Speed clerk. [Ch. 999]
SB 672 - (Cherokee) Voter assistance. [Ch. 1000]
SB 679 - (County land fill bonds. [Ch. 1001]
SB 695 - (McDowell) Soil and water conservation aid. [Ch. 1002]
SB 703 - Military base Sunday hunting. [Ch. 1003]

HB 156 - Nursing education funds, as amended in House 6/27. [Ch. 1004]
HB 199 - Sanitary scallops. [Ch. 1005]
HB 296 - State aid for airports (House committee substitute 4/6), as amended in House 6/27. [Ch. 1006]
HB 310 - State trademarks, as amended in House 6/19, and Senate 6/27. [Ch. 1007]
HB 524 - Teachers for retarded funds, as amended in House 6/27. [Ch. 1008]
HB 545 - Perpetual care cemetaries (House committee substitute 5/10), as amended in House 5/17, and in Senate 6/22 and 6/27. [Ch. 1009]
HB 838 - (Hyde) Drainage district treasurer. [Ch. 1010]
HB 965 - Yam weevil indemnity, as amended in House 6/27. [Ch. 1011]
HB 973 - Beef production training funds, as amended in House 6/27. [Ch. 1012]
HB 1217 - Fruit enforcement funds. [Ch. 1013]
HB 1282 - Advis. Budget Chmn. expenses. [Ch. 1014]
HB 1283 - Speaker-Pres. Pro Tem. expenses. [Ch. 1015]
HB 1370 - (Martin) Marking ballots. [Ch. 1016]
HB 1371 - (Guilford) Solicitors' salaries. [Ch. 1017]
HB 1414 - (Pitt) Board of education garage. [Ch. 1018]
HB 1416 - (Alexander) County-city water system. [Ch. 1019]

Next session of Senate: 10:00 a.m., Friday, June 30, 1967.

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BULLETIN NO. 102
Thursday, June 29, 1967

Sessions: House -- 10:30 a.m. and 2:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE, 10:30 A.M. SESSION

HR 1417 - (Joint Resolution) Introduced by Britt of Johnston
"Honoring Frank W. Hanft for his service as Chairman of the General Statutes Commission." [As title indicates.] Passed three readings and sent to Senate.

HR 1418 - (Joint Resolution) Introduced by Britt of Johnson and Kiser
"Of appreciation honoring William Ewart Easterling for thirty-four years of outstanding service to this State as Secretary of the North Carolina Local Government Commission." [As title indicates.] Passed three readings and sent to Senate.

HR 1420 - (Joint Resolution) Introduced by Johnson of Duplin
"Providing for the election of George Uzzell as an honorary, lifetime member of the Board of Trustees of the University of North Carolina." [As title indicates.] Passed three readings and sent to Senate.

HR 1421 - (Joint Resolution) Introduced by Sugg and others
"Honoring the life and memory of Graham A. Barden, distinguished citizen of the State of North Carolina and member of the Congress of the United States." [Identical with SR 742, digested in the Senate section of today's bulletin.] Passed three readings and sent to Senate.

HB 1422 - Introduced by Edwards, Johnson of Duplin and Short
"To facilitate filings in the office of the Secretary of State." [Adds new GS 147-36.1 to authorize Deputy Secretary of State to perform all acts and duties of Secretary of State in Secretary's absence or inability to act or under his direction; certificates signed by Deputy may be issued in name of Secretary, and certificates relating to documents handled by divisions of the Dep't of State may be signed by deputies or directors for such divisions and issued in name of Secretary.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE, 10:30 A.M. SESSION

HB 1419 - (Duplin) Introduced by Johnson of Duplin
"To amend the Charter of the Town of Kenansville so as to provide for the election of the mayor and members of the Board of Commissioners." [Amends Pub. Laws 1899, Ch. 174 to provide that the governing body of Town of Kenansville shall consist of mayor and five commissioners to be elected in accordance with GS 160, Art. 3, except as otherwise provided. In municipal election held on first Monday in May 1969 and quadrenially thereafter candidate for mayor receiving highest vote and two candidates for commissioner receiving highest votes shall be elected to 4-year terms and, in 1969 election only, three candidates for commissioner receiving next highest vote shall be elected to 2-year term. In 1971 municipal election and quadrenially thereafter three candidates for commissioner receiving highest votes shall be elected to four-year terms. (Under 1899 Act, governing body of town consists of mayor, five commissioners, and town constable, with mayor and commissioners to be elected annually and constable elected annually by board of commissioners).] To Calendar Committee.

HOUSE CALENDAR ACTION -- 11:30 A.M. SESSION

PUBLIC BILLS

SB 269 - Cosmetic art regulation, as amended in Senate 6/15. Reported favorably as amended.
SB 466 - Well construction standards, (Senate committee substitute 6/22). Reported favorably.
SB 563 - Regional universities and ECU, as amended in Senate 6/20 and in House 6/28. Passed second and third readings.
SB 601 - Motorboat gas tax allocation, as amended in Senate 6/28. Received from Senate; referred to Calendar Committee.
SB 616 - Pickup truck rear view mirrors. Reported favorably.
SB 671 - New resident auto licensing. Reported favorably.
SB 689 - Flag desecration changes. Received from Senate; sent to Judiciary 1.
SB 697 - Lt. Governor's compensation, as amended in Senate 6/28. Received from Senate; sent to Calendar Committee
SR 700 - (Joint Resolution) Civil procedure rules study, as amended in Senate 6/16. Floor amendment adopted to provide that members of commission from the House of Representatives shall be selected, three each, by the chairman of the House Judiciary 1 and House Judiciary 2 committee from the respective memberships of these two committees, with concurrence of Speaker of House (now, three members of commission are to be elected by these committees from their respective memberships). Passed second and third readings.
SB 708 - Motor vehicles record fees. Reported favorably.
SB 709 - Vehicle dealers licenses. Reported favorably as amended.
SR 726 - (Joint Resolution) LRC water resource law study. Received from Senate; sent to Judiciary 1.
SB 727 - Amends SB 2, State exemption. Received from Senate; sent to Calendar Committee.
SB 730 - Investment of remainder. Received from Senate; sent to Judiciary 1.

HB 320 - Unsecured bail bonds II, as amended in House 5/30 and in Senate 6/23. Received for concurrence in Senate amendment; concurred.
HB 467 - Veterans Comm'n & Scholarships, as amended in House 5/12 and in Senate 6/28. Received for concurrence in Senate amendment; concurred.
HB 1056 - Revenue bonds, facility housing. Passed third reading.
HB 1261 - School laws printing. Reported favorably. Placed on today's calendar.
HB 1353 - Work release changes. Reported favorably as to committee substitute. Committee substitute adopted deleting rewrite by original bill of GS 15-197 and providing that in administration of local work-release under GS 15-199 (14) court shall act with consent of defendant "and with a statement of the availability of jail accommodations" (adds quoted words).
HR 1417 - (Joint Resolution) Honoring Hanft. Passed second and third readings.
HR 1418 - (Joint Resolution) Honoring Easterling. Passed second and third readings.
HR 1420 - (Joint Resolution) Electing Uzzell life trustee. Passed second and third readings.
HR 1421 - (Joint Resolution) Memorializing Barden. Passed second and third readings.

LOCAL BILLS

SB 136 - (Alamance) School board election, as amended in Senate 4/6. Withdrawn from education; rereferred to Calendar Committee.
SB 658 - (Transylvania) School board election. Passed.
SB 662 - (Granville) County board vacancies. Passed.
SB 673 - (Wayne) Process service compensation, as amended in Senate 6/27. Reported favorably; placed on calendar; passed.

SB 680 - (Harnett) Erwin tax discounts. Passed third reading.

HB 706 - (Gaston) Cramerton incorporation, as amended in House 6/7, and in Senate 6/21 and 6/27. Returned for concurrence in Senate amendment; concurred.
HB 1397 - (Watauga) Airport comm'n land acquiring. Passed.
HB 1401 - (Edgecombe, Nash) District health dept. Passed.
HB 1403 - (Clay) School board election. Rereferred to Calendar Committee.

Recessed at 1:15 p.m., to reconvene at 2:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE, 2:00 P.M. SESSION

HB 1423 - Introduced by Britt of Johnston
"Adopting 1965 replacement volumes 1C and 1D and 1966 replacement volumes 2A and 3A of the General Statutes." [Adds GS 164-11.8, providing as title indicates; act not to invalidate any 1967 enactments or to include any material supplemental to GS chapters involved.] To Judiciary 1.

LOCAL BILLS INTRODUCED -- HOUSE, 2:00 P.M. SESSION

HB 1424 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones
"Relating to the sale of alcoholic beverage in Mecklenburg County." [Modifies GS 18-39(3) (relating to powers of State Board of Alcoholic Control) to provide that in Mecklenburg County total additional retail price per bottle shall be 10¢ of which 5¢ shall be retained by county ABC board for programs of alcoholic education, research and treatment in County. Effective August 1, 1967.] To Calendar Committee.

HB 1425 - (Mecklenburg) Introduced by Vogler, Baugh, Beatty, Calvert, Carson, Hunter and Jones
"To supplement regulation and control of alcoholic beverages, and to supplement enforcement of existing laws concerning alcoholic beverages in Mecklenburg County." [Provides that in addition to authority of State ABC board and existing authority of Mecklenburg County ABC board, county board may within the county suspend or revoke, for same reason as State board under GS Ch. 18, any permit: (1) for sale of wine, beer or other brewed or fermented beverages, inlcuding permits issued pursuant to GS Ch. 18, Arts. 8 and 12; (2) for storage, possession, or consumption of alcoholic beverages, including permits issued pursuant to GS Ch. 18, Art. 3; (3) for sale, storage, possession or consumption of any beverage as defined in GS 18-1, GS 18-60, GS 18-64 or GS 18-96. Such revocation of permits shall revoke all others issued under GS Ch. 18 to same licensee. In any proceeding before county board for revocation or suspension of retailer's license, licensee shall be given notice and opportunity for hearing; decisions may be appealed to State ABC board within 30 days after decision and such appeal shall stay all proceedings and decisions of county board; hearings of State board to be de novo. All ABC officers employed by county ABC board and all county and municipal enforcement officers designated by county ABC board shall have authority to: (1) investigate operation of licensed premises of permit holders under county ABC board jurisdiction; (2) examine books and records of permittees; (3) procure evidence with respect to violation of GS Ch. 18 and of rules adopted thereunder; (4) enter any premises so licensed at any hour licensed activity is being carried on, with refusal by permittee to allow such entry to be cause for revocation or suspension of permit. All such officers employed or designated by county ABC board shall have same powers, including right to serve criminal process and make arrests, as other peace officers.] To Calendar Committee.

HOUSE CALENDAR ACTION -- 2:00 P.M. SESSION

PUBLIC BILLS

SB 100 - Vagabond Drama School approp., as amended in Senate 6/28. Passed second and third readings.
SB 106 - Alimony revision, as amended in Senate 6/2. Postponed to 6/30.

SB 107 - Custody-support revision, as amended in Senate 6/2 and 6/7. Postponed to 6/30.
SB 110 - Landfill acquisition, as amended in Senate 6/7. Amended to make technical change and to delete portion of bill amending GS 160-205 (relating to attorneys' fees). Passed second and third readings.
SB 153 - Chief Medical Examiner, as amended in Senate 5/25 and 6/28. Passed second reading.
SB 183 - Technical changes-revenue laws, (Senate committee substitute 6/23) as amended in Senate 6/26. Passed second reading.
SB 187 - Provisional license suspension, as amended in Senate 6/29. Received from Senate; sent to Calendar Committee.
SB 413 - Ordinance hearing, (Senate committee substitute 6/28). Received from Senate; sent to Judiciary 1.
SB 581 - State Stadium Authority, as amended in House 6/28. Floor amendment adopted to set number of members of Authority to be appointed by Governor at seven (now, three), to delete power of each city or county entering into agreement with Authority under act to appoint two members and replacements therefor, and to make conforming change in Section 21. Passed third reading
SB 587 - Interstate motor carrier fee. Passed third reading.
SB 716 - School of Arts revenue bonds. Passed third reading.
SR 741 - (Joint Resolution) Election of UNC trustees. Received from Senate; passed second and third readings.

HB 4 - Combat tax exemption. Reported unfavorably.
HB 13 - $600 exemption. Reported unfavorably.
HB 253 - Taxing farm equipment, (House committee substitute 6/9). Reported unfavorably.
HB 254 - Records to Atlantic Christian. Reported unfavorably.
HB 338 - Liquor tax raise. Reported unfavorably.
HB 445 - Elderly property tax deduction. Reported unfavorably.
HB 690 - State Board of Assessment. Reported unfavorably.
HB 898 - Piped gas tax rebate. Reported unfavorably.
HB 972 - Agency reports to UNC branches, as amended in Senate 6/29. Received for concurrence in Senate amendment; concurred.
HB 981 - Funeral expense priority, as amended in Senate 6/29. Received for concurrence in Senate amendment; placed on calendar for 6/30.
HB 987 - Omnibus JP appointments, as amended in House 5/18 and in Senate 6/29. Received for concurrence in Senate amendment; concurred.
HB 1020 - Ad valorem property tax credit. Reported unfavorably.
HB 1116 - Agricultural land tax. Reported unfavorably.
HB 1197 - Publications to ECC. Passed second and third readings.
HB 1233 - Subdivision control revisions. Amended to delete authorization for subdivision ordinance to provide for more orderly development of subdivision by requiring construction of community service facilities in accordance with stated policies and standards. Floor amendments adopted to provide that one subdividing his land in violation of city or county ordinance and transferring it with plat showing approval is guilty of misdemeanor and may be enjoined (in original, so subdividing or transferring) and providing that county ordinance may require platting provisions when subdivision of land involving street right of way dedication occurs (in original, whenever subdivision occurs). Failed second reading.
HB 1261 - School laws printing. Passed second and third readings.
HB 1267 - US tax lien registration. Amended to make following changes in original bill: (1) To modify filing procedure of filing officers described in GS 44-68.1, other than Secretary of State, in regard to notice of federal tax lien, refiling of notice of tax lien, or notice of revocation of any certificate, or certificate of release, non-attachment, discharge or

subordination of tax lien; (2) to provide that in regard to such filing by officer other than Secretary of State, Director of Administration of Office of Courts may make regulations not inconsistent with Federal Tax Lien Act and this act for such filing, indexing, and docketing; (3) to specify that filing fee schedule set out as GS 44-68.4 of act shall apply in office of Secretary of State, and that when such filing is in office of clerk of superior court fees shall be as provided in GS 7A-308; (4) to make technical changes. Passed second and third readings.

HB 1328 - Distinctive hunter's markings. Postponed to July 3.

HB 1345 - County election officials. Amended to make following changes in original bill: (1) To provide that chairman of political party in each county may submit a list of at least three persons from each precinct as nominees for judge of elections who, upon appointment by chairman of county board of elections, shall serve for two years or until successor appointed. Chairman shall make appointment of judges from such lists if received at least ten days prior to date of appointment (original bill provided that chairman of political party in county was to appoint one person to act as judge for each precinct for term of two years and required that judges be able to read and write and set out special provisions for circumstance when fewer than 20% of registered voters in a precinct are members of a party.); (2) to delete from those excluded from position of election official those persons holding "place of trust or profit or employment" under government of US, State or any political subdivision thereof; (3) to provide that vacancies other than on day of primary or election in office of judge or registrar of a precinct shall be filled by chairman of county board of elections from a list of at least three names submitted by chairman of party of person causing vacancy (original bill provided that chairman of county board of elections select a person designated by chairman of party of person causing vacancy); (4) to add provision that in filling vacancies on day of primary or election appointees shall be resident and elector of precinct; (5) to delete all of section 2 of original bill, pertaining to appointment of special registration commissioners. Passed second and third readings.

HB 1348 - 10-cent wine bottle tax. Reported unfavorably.

HB 1374 - Rescue squads, (House committee substitute 6/27). Passed second and third readings.

HB 1375 - Water-sewer district tax exemption. Reported unfavorably.

HB 1383 - Osteopathic practice amdts. Placed on calendar for 6/30.

HB 1385 - Misc. workmen's comp. changes. Amended to delete section of act affecting GS 97-44 and renumbering act accordingly (deleted section would have eliminated need for parties to agree to redemption of weekly payments by lump sum payment fixed by comm'n). Passed second and third readings.

HB 1392 - School of Arts revenue bonds. Postponed indefinitely.

HB 1393 - Liquefied petroleum standards. Passed second and third readings.

HB 1402 - Prepayment penalty, home loans. Floor amendment adopted to make technical clarification. Passed second and third readings.

HB 1406 - Bail bondsmen register. Tabled.

HB 1412 - US Senator election. Passed second and third readings.

LOCAL BILLS

SB 623 - (Harnett) School bonds. Received from Senate; sent to Calendar Committee.

HB 833 - (Richmond) Hamlet ABC profits. Received for concurrence in Senate amendment; placed on today's calendar.

HB 1093 --(Nash) Court reporters. Passed third reading.

HB 1249 - (Mecklenburg) Local sales tax, as amended in House 6/20 and 6/21 and in Senate 6/29. Received for concurrence in Senate amendment; concurred.

Unnumbered House Resolution

HR [H] Introduced by Kiser and others

"Expressing appreciation for services rendered by the Institute of Government."

[As title indicates.] Passed.

Next session of House: 10:00 a.m., Friday, June 30, 1967.

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BULLETIN NO. 103

Friday, June 30, 1967

Session: Senate -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 746 - Introduced by Henkel
"To provide that the Senate and House of Representatives shall meet on the first Wednesday after the first Monday in January next after their election." [Provides as title indicates for regular biennial sessions to convene on first Wednesday after first Monday in January (now, set by State Constitution Art. II, §2 at first Wednesday after first Monday in February, "unless a different day shall be provided by law".)] To Calendar Committee.

LOCAL BILLS INTRODUCED -- SENATE

SB 745 - (Mecklenburg) Introduced by Moore, Evans and Maxwell
"To supplement regulation and control of alcoholic beverages, and to supplement enforcement of existing laws concerning alcoholic beverages in Mecklenburg County." [Identical with HB 1425 digested in Bulletin No. 102 at page 1055.] To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 8 - Service Retirement Pay. Amendment adopted providing that "all disability" pay (originally, retirement pay) received from US as result of service in armed services be exempted from State Income Tax. Passed second and third readings.
SB 110 - Landfill acquisition, as amended in Senate 6/7 and House 6/29. Failled to concur in House amendment.
SB 230 - Assistant AG, Insurance Dept. Reported favorably as amended.
SB 474 - Insurance premium finance fees, as amended in Senate 6/28. Passed third reading.
SB 630 - Dist. Ct., Zebulon & Vance. Passed second and third readings.
SB 655 - Henderson Co. extension unit. Reported unfavorably.
SB 666 - Parks-forest study comm'n. Reported favorably as amended.
SB 686 - Fraudulent license procurement. Postponed indefinitely.
SB 728 - Ed. Assistance Authority. Passed second reading.
SB 738 - Executive officers' salaries. Reported favorably as amended.
SB 739 - Alcoholic research. Reported favorably.
SB 740 - Awarding merit SHP acts II. Reported favorably.
SB 743 - Utilities Commission salaries. Reported favorably.

HB 117 - Creek designation, as amended in House 6/26. Reported favorably as amended.
HB 169 - ECC stadium addition, as amended in House 6/27. Passed third reading.
HB 297 - Alcoholic rehabilitation funds (Senate committee substitute 6/26). Floor amendments adopted requiring Department of Mental Health to use $100,000 of alcoholism appropriation for establishment of division of alcoholism to direct and coordinate local departmental alcoholism programs, and making clarifying change. Passed second reading. Postponed to 7/3.
HB 749 - Boat sales tax. Passed second reading.
HB 996 - Water use information (House committee substitute 6/8). Floor amendments adopted providing that water use for household, livestock, or garden is not subject to reporting powers, and that reports required under act are provided solely for purposes of Department of Water Resources. Passed second and third readings.
HR 1026 - (Joint Resolution) Public school study commission, as amended in House 6/28. Reported favorably.
HB 1036 - Dispenser tax changes, as amended in House 6/23 and Senate 6/29. Passed third reading.
HB 1048 - Big game animals, as amended in House 6/16. Vote by which bill failed to pass second reading reconsidered. Placed on calendar 7/3.
HB 1056 - Revenue bonds, facility housing. Reported favorably.
HB 1077 - Pest Control Act of 1955 (House committee substitute 6/20), as amended in Senate 6/29. Passed second reading.
HB 1091 - General Assembly pay, as amended in House 5/30. Reported favorably.
HB 1092 - Firelighting deer evidence. Postponed to 7/3.
HB 1101 - Carrier's gross revenue tax. Passed third reading.
HB 1146 - Local airport bond maturities. Passed third reading.
HB 1172 - Uninsured motorist insurance, as amended in House 6/12 and in Senate 6/29. Postponed to 7/3.
HB 1197 - Publications to ECC. Postponed indefinitely.
HB 1222 - Retirement system investments (House committee substitute 6/13), as amended in House 6/22. Reported favorably.
HB 1234 - CATV franchises (House committee substitute 6/22). Passed second reading.
HB 1240 - County and municipal zoning. Reported favorably.
HB 1261 - School laws printing. Reported favorably.
HB 1267 - US tax lien registration, as amended in House 6/29. Received from House; sent to Calendar Committee.
HB 1271 - Abandoned vehicles disposal. Reported favorably.
HB 1289 - Abandoned vehicles changes, as amended in House 6/22. Reported favorably as amended.
HB 1297 - Felony-misdemeanor charges (House committee substitute 6/22). Reported favorably as amended.
HB 1335 - Changing primary time, as amended in House 6/26. Reported favorably as amended.
HB 1337 - Porpoise protection, as amended in House 6/23. Reported favorably.
HB 1342 - Municipal Hwy.safety act aid. Reported favorably.
HB 1345 - County election officials, as amended in House 6/29. Received from House; sent to Calendar Committee.
HB 1356 - Fraudulent license procurement, as amended in House 6/23. Passed second and third readings.
HB 1372 - Joint local recreation facils. Reported favorably.
HB 1408 - Local school budget add-ons. Reported favorably.
HR 1426 - (Joint Resolution) Legislative computer. Received from House; sent to Calendar Committee.

LOCAL BILLS

SB 690 - (Stanly School board election. Passed.
SB 706 - (Clay) School board election. Rereferred to Calendar Committee.
SB 711 - (Halifax) Rescue squad solicitations. Passed.
SB 712 - (Swain) School board election. Passed.
SB 721 - (Cherokee) School board elections. Floor amendments adopted deleting provision that primary and general elections for school board shall be held in accord with GS Ch. 163 provisions for primary and general elections.
SB 733 - (Harnett) Buie's Creek charter repeal. Passed.
SB 736 - (Cabarrus) Concord officials' pay. Passed.
HB 1329 - (Watauga) Bd. of education election. Received from House; sent to Calendar Committee.
HB 1351 - (Tyrrell) Commissioners compensation. Passed.
HB 1363 - (Craven) New Bern historic sites. Passed.
HB 1366 - (Burke) Amends HB 766. Passed third reading.
HB 1367 - (Gaston) Gastonia court clerks pay. Passed.
HB 1398 - (Graham) School board election. Passed.
HB 1399 - (Cleveland) Kings Mtn. election hours. Passed.
HB 1404 - (Hyde) Waterfowl shooting hours, as amended in House 6/28. Passed.
HB 1405 - (Hyde) Englehard land conveyance. Passed.
HB 1407 - (Macon) School board election. Passed.
HB 1409 - (Columbus) Fair Bluff boundaries. Passed third reading.

BILLS RATIFIED

SB 203 - Interstate education compact, as amended in Senate 6/28. [Ch. 1020]
SB 563 - Regional universities and ECU, as amended in Senate 6/20, and in House 6/28. [Ch. 1038]
SB 587 - Interstate motor carrier fee. [Ch. 1039]
SB 658 - (Transylvania) School board election. [Ch. 1021]
SB 662 - (Granville) County board vacancies. [Ch. 1022]
SB 673 - (Wayne) Process service compensation, as amended in Senate 6/27. [Ch. 1023]
SB 680 - (Harnett) Erwin tax discounts. [Ch. 1024]
SB 716 - School of Arts revenue bonds. [Ch. 1040]
SR 741 - (Joint Resolution) Election of UNC trustees. [R 75]

HB 80 - Retirement benefits exemption, as amended in House 6/19. [Ch. 1025]
HB 320 - Unsecured bail bonds II, as amended in House 5/30 and in Senate 6/23. [Ch. 1041]
HB 462 - Roanoke workshop bldg. funds, as amended in House 6/27. [Ch. 1026]
HB 528 - Commission on women, as amended in House 6/27. [Ch. 1027]
HB 904 - Advancement school funds, as amended in House 6/27. [Ch. 1028]
HB 908 - Liens on personal property, as amended in House 5/24. [Ch. 1029]
HB 911 - Retarded children care funds. [Ch. 1030]
HB 921 - Out-state adopted children, as amended in House 6/2. [Ch. 1042]
HB 926 - Realty license revocation. [Ch. 1031]
HR 944 - (Joint Resolution) Local Government Study Comm., (House committee substitute 6/2). [R 76]
HB 987 - Omnibus JP appointments, as amended in House 5/18 and in Senate 6/29. [Ch. 1043]
HB 1045 - School bus tort claims. [Ch. 1032]
HB 1051 - Blandwood appropriation, as amended in House 6/27. [Ch. 1033]
HB 1078 - Historic Murfreesboro Comm., as amended in House 6/27. [Ch. 1034]
HB 1135 - Cotton quality improvement. [Ch. 1035]
HB 1317 - Fruit-vegetable appropriation. [Ch. 1036]
HB 1322 - (Yadkin) Jonesville-Arlington merger, as amended in Senate 6/22 and 6/28. [Ch. 1037]

HB 1388 - (Madison) School board election. [Ch. 1044]
HB 1395 - (Robeson) School board election. [Ch. 1045]
HB 1396 - (Duplin) School board election. [Ch. 1046]
HB 1409 - (Columbus) Fair Bluff boundaries. [Ch. 1047]
HR 1417 - (Joint Resolution) Honoring Hanft. [R 71]
HR 1418 - (Joint Resolution) Honoring Easterling. [R 72]
HR 1420 - (Joint Resolution) Electing Uzzell life trustee. [R 73]
HR 1421 - (Joint Resolution) Memorializing Burden. [R 74]

Next session of Senate: 9:00 a.m., Saturday, July 1, 1967, for consideration of local bills only;
3:00 p.m., Monday, July 3, 1967.

#

BULLETIN NO. 103
Friday, June 30, 1967

Session: House -- 10:00 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1426 - (Joint Resolution) Introduced by Johnson of Duplin
"Relating to computer services for legislative reporting for the 1969 General Assembly." [States the sense of the General Assembly that there should be included a sum not to exceed $30,000 in Legislative Budget without advance budgeting for computer services to 1969 General Assembly, including aid in production of legislative bulletins and inquiry services, by Institute of Government and Department of Administration.] Passed three readings and sent to Senate.

HB 1427 - Introduced by Speed and Stanford
"To amend Article 50 of Chapter 106 of the General Statutes, relating to assessments for the promotion for the use and sale of agricultural products." [Amends GS 106-557 (relating to agricultural promotions) to provide that assessment for research and promotion programs of American Dairy Association of North Carolina May be fixed on volume not to exceed 6¢ per hundredweight of milk sold.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

HB 1428 - (Guilford) Introduced by Whitley, Edwards and Short
"Relating to the salary of the Clerk of the Superior Court of Guilford County." [Amends SL 1965, Ch. 598 to set salary of CSC of Guilford County at $16,500 per annum (now, $15,500).] Passed three readings and sent to Senate.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 8 - Service retirement pay, as amended in Senate 6/30. Rec'd. Sent to Cal. Com.
SB 106 - Alimony revision, as amended in Senate 6/2. Floor amendments adopted adding to definition of "supporting spouse" that husband is deemed to be supporting spouse unless incapable of supporting his wife, and amends provision dealing with payment of alimony and alimony pendente lite that it can be paid by transfer of title or possession of personal property or interest therein or transfer of a security interest in or possession of real property as court may order (original refers only to "transfer of title or possession of real or personal property or any interest therein"). Passed second and third reading.
SB 107 - Custody-support revision, as amended in Senate 6/2 and 6/7. Floor amendment adopted making clarifying change. Passed second and third readings.
SB 110 - Landfill acquisition, as amended in Senate 6/7 and in House 6/29. The Speaker appointed House conferees Britt of Johnston, Elliott and Horton.
SB 153 - Chief Medical Examiner,as amended in Senate 4/25 and 6/28. Postponed to 7/3.
SB 183 - Technical changes-revenue laws (Senate c/s 6/23), as amended in Senate 6/26. Passed third reading.
SB 269 - Cosmetic art regulation, as amended in Senate 6/15. Postponed to 7/3.
SB 271 - State Board of Assessment, as amendedin Senate 6/16. Amended to provide: (1) an appropriation out of proceeds of intangible tax in such amount as Governor and Advisory Budget Commission deem necessary for maintenance and operation of State Board of Assessment under act in each year of 1967-68

biennium; (2) that act shall be effective July 1, 1967, but until Board of Assessment created by act is appointed and organized the present board, as it existed June 30, 1967, shall exercise duties of board as prescribed by GS 105-275 (original bill effective on ratification). Passed second reading. Postponed to 7/3.

SB 308 - Solicitor districts and duties (Senate committee substitute 6/26). Passed second and third readings.

SB 386 - ABC tax prohibition, as amended in Senate 5/25. Failed to pass second reading.

SB 394 - Assigned risk liability hike. Floor amendment adopted to set maximum amount of motor vehicle liability insurance for injury or death to one person that assigned risk carrier can be required to issue to an assigned risk applicant at $15,000 (original bill, $20,000, present law $10,000) and at $30,000 (original bill, $40,000, present law $20,000) for multiple injury or death. Passed second and third reading.

SB 408 - Pilot retarded care funds, as amended in Senate 6/28. Passed second and third readings.

SB 413 - Ordinance hearing (Senate com. subst. 6/28). Reported fav. as amended.

SB 466 - Well construction standards (Senate com. subst. 6/22). Postponed to 7/3.

SB 468 - Young drivers suspension, as amended in Senate 6/16. Tabled.

SB 474 - Insurance premium finance fees, as amended in Senate 6/28. Received from Senate. Sent to Calendar Committee.

SB 482 - Coastal area insurance #II (Senate com. subst. 6/9) as amended in Senate 6/14. Amended to provide that reports of application rejections and policy cancellations not to be required for policies cancelled or not renewed because of non-payment of premium, cancellation by insured, transfer of ownership of property, termination of agency, change of insurance to other companies, and other reasons acceptable to Insurance Comm'r; and that written reports of refusal to write, filed with Rating Bureau under approved voluntary plan, are deemed to comply with requirements of GS 58-173.2, if filed in duplicate with copy to Comm'r. Amendment adopted, apparently intended to provide that insurance agent refusing to take application for fire and extended coverage on beach property must file report of such refusal with Comm'r only "if requested in writing by the policy holder or applicant for insurance" (adds quoted words, with erroneous page and line reference). Passed second and third readings.

SR 497 - (Joint Resolution) LRC tire study. Tabled.

SB 521 - Small animal cruelty, as amended in Senate 6/16 and 6/19. Reported favorably.

SB 534 - Auto dealer amendments, as amended in Senate 6/23. Reported favorably.

SB 593 - Poultry inspection. Reported favorably.

SB 630 - Dist. Ct., Zebulon & Vance. Received from Senate; sent to Calendar Committee.

SR 632 - (Joint Resolution) LRC coastal insurance study. Passed second and third readings.

SB 646 - Insurance Co. stock purchase, as amended in Senate 6/27. Reported favorably

SB 660 - Right-of-way left. Passed second and third readings.

SB 689 - Flag desecration changes. Reported unfavorably.

SB 697 - Lt. Governor's compensation, as amended in Senate 6/28. Reported favorably.

SB 713 - Driver license fees. Reported favorably as amended.

SR 726 - (Joint Resolution) LRC Water Resource Law Study. Reported favorably.

SB 727 - Amends SB 2, State exemption. Reported favorably.

SB 730 - Investment of remainder. Reported unfavorably.

HB 379 - Technical changes Revenue Laws, as amended in House 6/28. Postponed indefinitely.

HB 498 - Ass't AG, Insurance Dep't. Reported favorably as amended; placed on cal. Amendment adopted to delete section of act appropriating $38,382 for 1967-69 biennium to State Insurance Department for specified purposes of act; renumbers act accordingly. Passed second and third readings.

HB 918 - Numbered legislative seats, as amended in House 6/9 and 6/12, (Senate committee substitute 6/23), as amended in Senate 6/28 and 6/29. Received for concurrence in Senate amendments; concurred.

HB 981 - Funeral expense priority, as amended in Senate 6/29. Received for concurrence in Senate amendment; concurred.

HB 988 - Judgment notice, as amended in House 6/2, and in Senate 6/29. Received for concurrence in Senate amendment; concurred.

HB 993 - Dam safety certification, as amended in House 6/9 and in Senate 6/29. Received for concurrence in Senate amendment; concurred.

HB 995 - Well drilling changes, (House committee substitute 6/8) as amended in Senate 6/29. Received for concurrence in Senate amendment; concurred.

HB 1036 - Dispenser tax changes, as amended in House 6/23 and in Senate 6/29. Received for concurrence in Senate amendment; postponed to 7/3.

HB 1097 - Motor vehicle rear lamps, (House committee substitute 5/30), as amended in Senate 6/29. Received for concurrence in Senate amendment; concurred.

HB 1121 - Guard disability expenses, as amended in Senate 6/29. Received for concurrence in Senate amendment; concurred.

HB 1128 - Validating guardian's sales, as amended in House 6/12 and in Senate 6/29. Received for concurrence in Senate amendment; concurred.

HB 1153 - Kiddy-ride privilege tax, as amended in House 6/2 and in Senate 6/22. Conferees reported unable to agree. Postponed indefinitely.

HB 1161 - Minors in bowling alleys, as amended in Senate 6/29. Received for concurrence in Senate amendment; concurred.

HB 1353 - Work release changes, (House committee substitute 6/29). Passed second and third readings.

HB 1383 - Osteopathic practice amdts. Floor amendment adopted deleting reference to application for osteopath license as being under GS 90-129(b)(1); deleting description of two types of osteopath license; providing that Board may require one applying "after July 1, 1967" to file affidavit of pertinent facts (adds quoted words); and providing that act not to enlarge, diminish, alter, or negate practice of osteopathy by those licensed to practice on effective date of act and not complying with act, such persons to retain licenses conferred prior to ratification of act. Failed to pass second reading.

HB 1422 - Deputy Secretary of State. Reported favorably; placed on calendar; passed second and third readings.

HB 1423 - GS Vols. 1C, 1D, 2A, 3A. Reported favorably; placed on calendar; passed second and third readings.

HR 1426 - (Joint Resolution) Legislative computer. Passed second and third readings.

LOCAL BILLS

SB 642 - (Lenoir) Kinston CATV franchises. Passed third reading.

SB 690 - (Stanly) School board election. Received from Senate; sent to Calendar Committee.

SB 701 - (Halifax) Roanoke Rapids Charter. Passed third reading.

SB 710 - (Henderson) School board election. Floor amendment adopted to provide that all persons elected pursuant to act shall serve for terms of four years (original bill, six years). Passed second reading; vote by which passed second reading reconsidered; placed on calendar 7/3.

SB 711 - (Halifax) Rescue squad solicitations. Received from Senate; sent to Calendar Committee.

SB 712 - (Swain) School board election. Received from Senate; sent to Calendar Committee.

SB 714 - (Harnett) Board of education conveyance. Passed.

SB 719 - (Halifax) Annexation laws referendum. Passed third reading.

SB 720 - (Gaston) Regional planning commission. Passed.

SB 721 - (Cherokee) School board elections. Received from Senate; sent to Calendar Committee.

SB 724 - (Wake) Raleigh historic sites. Passed.
SB 733 - (Harnett) Buie's Creek charter repeal. Received from Senate; sent to Calendar Committee.
SB 736 - (Cabarrus) Concord officials' pay. Received from Senate; sent to Calendar Committee.
HB 833 - (Richmond) Hamlet ABC profits, as amended in Senate 6/29. Received for concurrence in Senate amendment; concurred.
HB 1329 - (Watauga) Bd. of education elections. Amended to provide that members of present board shall hold office until first Monday in December 1971 (originally, 1968) and that members elected in 1970 (originally, 1968) shall take office on first Monday in December 1971 (originally, 1968) and shall serve until first Monday in December, 1972 (originally, 1970). Passed.
HB 1381 - (Forsyth) W.S. transit authority. Passed third reading.
HB 1391 - (Moore) Dog pound-animal shelter. Passed.
HB 1413 - (Orange) Chapel Hill land exchange. Passed.
HB 1419 - (Duplin) Kenansville elections. Passed.
HB 1428 - (Guilford) CSC salary increase. Passed.

The following unnumbered House Resolutions were introduced:

HR [I] Introduced by Johnson of Duplin
"Authorizing and directing the Legislative Research Commission to study certain matters pertaining to the public welfare and other law of North Carolina." [Directs Legislative Research Commission to study laws under jurisdiction of NC Department of Public Welfare and other agencies, particularly GS Ch. 108 and GS Ch. 111. Commission to be cognizant of federal programs as they relate to administration of NC laws and distribution of funds within and without State. Commission to report findings and recommendations to 1969 General Assembly, including such recodification of laws as it may deem necessary.] Passed.

HR [J] Introduced by Johnson of Duplin
"Authorizing and directing the Legislative Research Commission to study the feasibility of placing non-professional school employees under the jurisdiction of the State Personnel Department." [As title indicates; commission to report its findings and recommendations to 1969 General Assembly.] Passed.

HR [K] Introduced by Clark of Union and others
"Authorizing and requesting the Legislative Research Commission to make a study and recommendations to the General Assembly relating to lending and credit." [Directs Legislative Research Commission to make complete study of consumer credit and lending practices in State and to report findings and recommendations concerning advisability of legislation in field to 1969 General Assembly on or before February 15, 1969.] Passed.

HR [L] Introduced by Johnson of Duplin and Johnson of Wake
"Directing the Legislative Research Commission to study and make recommendations relating to revision and recodification of Chapter 18 and other laws concerning alcoholic beverages." [Directs Legislative Research Commission to study the laws, regulations, and customs relating to alcoholic beverages and in particular: (1) GS Ch. 18 and other statutes, laws and regulations concerning alcoholic beverages for purpose of revision and recodification and, (2) relation of alcoholic beverage laws to broad public policy matters in State for purpose of considering needed changes. Commission to report findings and recommendations to 1969 Governor and General Assembly no later than February 5, 1969.] Passed.

Next sessions of House: 10:00 a.m. Saturday, July 1, for consideration of local bills only;
7:00 p.m. Monday, July 3, 1967.

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BULLETIN NO. 104

Monday, July 3, 1967

Note: The Senate convened at 9:00 a.m., Saturday, July 1, 1967 to consider local bills only. No bills were introduced and no calendar action was taken in the Senate.

Sessions: Senate -- 3:00 p.m. and 7:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE -- 3:00 P.M. SESSION

None

LOCAL BILLS INTRODUCED -- SENATE -- 3:00 P.M. SESSION

SB 747 - (Yancey) Introduced by Dent
"To make the statewide primary laws applicable to Yancey County."
[Repeals SL 1959, Ch. 947 (providing for nominating candidates for office in Yancey County by convention and exempting Yancey County from the provisions of the statewide primary laws).] To Calendar Committee.

SENATE CALENDAR ACTION -- 3:00 P.M. SESSION
PUBLIC BILLS

SB 48 - Governor's highway safety, as amended in Senate 3/23. Reported unfav.
SB 106 - Alimony revision, as amended in Senate 6/2 and in House 6/30. Received for concurrence in House amendment. Placed on calendar for 7/4.
SB 107 - Custody-support revision, as amended in Senate 6/2 and 6/7, and in House 6/30. Received for concurrence in House amendment. Placed on calendar for 7/4.
SB 110 - Land fill acquisition, as amended in Senate 6/7, and House 6/29. The following Senators were appointed as conferees: White of Cleveland, Griffin, and Burney.
SB 230 - Assistant AG, Insurance Dept. Postponed indefinitely.
SB 394 - Assigned risk liability hike, as amended in House 6/30. Received for concurrence in House amendment. Placed on calendar for 7/4.
SB 482 - Coastal area insurance #II (Senate committee substitute 6/9), as amended in Senate 6/14, and in House 6/30. Received for concurrence in House amendment. Concurred.
SB 483 - Motorboat operator licenses. Reported favorably as to committee substitute as amended. Committee substitute adopted making act applicable only to Cherokee, Clay, Graham, Macon, Swain, Jackson, Haywood, Transylvania, Henderson, Polk, Alexander, Caldwell and Catawba (except it shall not apply to Lake Norman in Catawba County) counties.
SB 535 - Securities law exemptions. Reported favorably.
SB 627 - Post-60 state retirement, as amended in Senate 6/15. Reported favorably.
SB 666 - Parks-forest study comm'n. Amendment adopted deleting $10,000 appropriation to defray Commission expenses, and renumbering sections in conformance thereto. Passed second and third readings.

SB 728 - Ed. Assistance Authority. Passed third reading.
SB 737 - General Assembly worker pay. Reported favorably as amended.
SB 738 - Executive officers' salaries. Amendments adopted making technical changes. Rereferred to Appropriations.
SB 739 - Alcoholic research. Passed second and third readings.
SB 740 - Awarding merit SHP acts II. Passed second and third readings.
SB 743 - Utilities Commission salaries. Rereferred to Appropriations.
SB 746 - January legislative convening. Reported favorably.

HB 117 - Creek designation, as amended in House 6/26. Amendment adopted deleting provision setting out intent of act to grant complete jurisdiction of marine and estuarine resources, game fish and inland game fish as defined in GS 113-129 in areas of creeks and rivers put under jurisdiction of Dep't of Conservation and Development. Passed second and third readings.
HB 224 - Contradictory clause reading, as amended in House 6/7. Reported fav.
HB 297 - Alcoholic rehabilitation funds (Senate committee substitute 6/26), as amended in Senate 6/30. Postponed to 7/5.
HB 498 - Ass't AG, Insurance Dep't, as amended in House 6/30. Received from House; placed on calendar and passed second and third readings.
HB 686 - Validating spouse contracts. Reported favorably.
HB 749 - Boat sales tax. Passed third reading.
HB 1011 - Open meetings, as amended in House 6/15. Amendment adopted adding provision that section exempting grand and petit juries and judicial and quasi-judicial bodies from act not to apply to municipal governing boards or boards of county commissioners, and adding to bodies exempted from act "coroners' juries or any other juries in other proceedings." Floor amendments adopted making technical and clarifying changes and adding that act not to apply to meetings of "The Advisory Budget Commission" and "the Board of Awards." Postponed to 7/4.
HR 1026 - (Joint Resolution) Public school study commission, as amended in House 6/28. Passed second reading.
HB 1030 - NC Burial Ass'n Commission. Passed second reading.
HB 1048 - Big game animals, as amended in House 6/16. Amendment adopted deleting provision that no permit to collect or possess live deer or bear for exhibition purposes to be issued to any person or organization other than duly accredited representatives of schools, colleges, etc., and substituting provision that no wild animals or wild birds to be held in captivity under inhumane or unsanitary conditions. Passed second and third readings.
HB 1056 - Revenue bonds, facility housing. Passed second reading.
HB 1077 - Pest Control Act of 1955 (House committee substitute 6/30), as amended in Senate 6/29. Passed third reading.
HB 1172 - Uninsured motorist insurance, as amended in House 6/12 and in Senate 6/29. Postponed to 7/5.
HB 1189 - Assigned risk default jdgmts, as amended in House 6/12 and 6/14. Postponed to 7/5.
HB 1193 - Roadside junkyard control, as amended in House 6/20. Reported favorably.
HB 1194 - Highway beautification, as amended in House 6/21. Reported favorably as amended.
HB 1195 - Billboard regulation, as amended in House 6/21. Reported favorably.
HB 1234 - CATV franchises (House committee substitute 6/22). Passed third reading.
HB 1353 - Work release changes (House committee substitute 6/29). Received from House; sent to Calendar Committee.
HB 1355 - Annexation technical changes, as amended in House 6/23. Reported fav.
HB 1359 - Escheat auto collision funds. Reported favorably.
HB 1373 - Chronic alcoholic laws. Reported favorably, as amended.

HB 1382 - Pre-need burial contracts. Reported favorably as amended.
HB 1385 - Misc. workmen's comp. changes, as amended in House 6/29. Reported fav.
HB 1386 - Gen. Stats. Comm'n appointee. Reported favorably.
HB 1390 - Inspection warrants, as amended in House 6/23. Reported favorably as amended.
HB 1393 - Liquefied petroleum standards. Reported favorably.
HB 1400 - UCC double indexing. Reported favorably.
HB 1402 - Prepayment penalty, home loans, as amended in House 6/29. Reported fav.
HR 1411 - (Joint Resolution) Legislative library binding. Reported favorably.
HB 1422 - Deputy Secretary of State. Received from House; sent to Calendar Com.
HB 1423 - GS Vols. 1C, 1D, 2A, 3A. Received from House; sent to Calendar Com.

LOCAL BILLS

HB 1242 - (Buncombe, Lincoln) Longer loose-leaf registration. Amendment adopted making act applicable to Lincoln as well as Buncombe County. Passed.
HB 1381 - (Forsyth) W.S. transit authority. Received from House; sent to Calendar Committee.
HB 1391 - (Moore) Dog pound-animal shelter. Received from House; sent to Calendar Committee.
HB 1397 - (Watauga) Airport Comm'n land acquiring. Passed.
HB 1413 - (Orange) Chapel Hill land exchange. Received from House; sent to Calendar Committee.
HB 1419 - (Duplin) Kenansville elections. Received from House; sent to Calendar Committee.
HB 1428 - (Guilford) CSC salary. Received from House; sent to Calendar Committee.

Recessed at 5:15 p.m. to reconvene at 7:00 p.m. for Joint Session.

PUBLIC BILLS INTRODUCED -- SENATE, 8:00 P.M. SESSION

SB 748 - Introduced by Scott and White of Lenoir
"To amend the State Highway Bond Act of 1965, subject to a vote of the people of the State, to raise the maximum interest rate from four per centum to five per centum per annum with respect to State of North Carolina Highway Bonds." [Identical with HB 1429, digested in the House section of today's bulletin.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- SENATE, 8:00 P.M. SESSION

None

SENATE CALENDAR ACTION -- 8:00 P.M. SESSION

PUBLIC BILLS

SB 69 - Congress Dist. Hills-Griffin (Senate committee substitute 5/9), as amended in House 6/27. Conference report adopted that: (1) rejects House amendment removing Davidson from District 5 to District 6 and removing Caswell and Rockingham from District 6 to District 5; (2) accepts House amendment removing Hoke from District 8 to District 7; and (3) accepts House amendment removing Gaston from District 9 to District 10, removing Wilkes and Iredell from District 10 to District 9, removing Mitchell from District 10 to District 11, and making technical changes.

HB 1076 - Credit card misuse, as amended in House 6/22 and 6/26. Postponed to 7/4.
HB 1091 - General Assembly pay, as amended in House 5/30. Passed second and third readings.
HB 1092 - Fire lighting deer evidence. Postponed to 7/4.
HB 1144 - Credit card insurance (House committee substitute 6/13). Passed second reading.
HB 1171 - Warehouse interstate property. Floor amendment adopted changing effective date from July 1, 1967 to July 1, 1969. Passed second reading.

LOCAL BILLS

SB 744 - (Brunswick) Street statute of limitations. Passed.

HB 1093 - (Nash) Court reporters. Passed.

Next session of Senate: 3:00 p.m., Tuesday, July 4, 1967.

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BULLETIN NO. 104
Monday, July 3, 1967

Note: The House convened at 10:00 a.m., Saturday, July 1, 1967 to consider local bills only. No bills were introduced and no calendar action taken in the House.

JOINT SESSION -- HOUSE AND SENATE

House Chamber: 7:00 p.m.

The Joint Session elected the following persons to membership on the Board of Trustees of the University of North Carolina for the indicated terms:

For Regular 8-year terms: Arch T. Allen, Raleigh; Ike F. Andrews, Siler City; W. C. Barfield, Wilmington; Dr. Francis A. Buchanan, Hendersonville; C. C. Cameron, Charlotte; Mrs. Nancy H. Copeland, Murfreesboro; Frank Hull Crowell, Lincolnton; Braxton Bragg Dawson, Washington; Norvin K. Dickerson, Monroe; J. H. Froelich, Jr., High Point; Eugene B. Graham, III, Charlotte; James Collins Green, Clarkton; Robert B. Hall, Mocksville; Mrs. Howard Holderness, Greensboro; Sam H. Johnson, Raleigh; Wade B. Matheny, Forest City; Beverly Moore, Greensboro; Dr. F. M. Simmons Patterson, New Bern; T. Henry Redding, Asheboro; D. P. Russ, Jr., Fayetteville; W. P. Saunders, Southern Pines; Ralph H. Scott, Haw River; Evander S. Simpson, Smithfield; Hill Yarborough, Louisburg; Charles W. Bradshaw, Raleigh.

For unexpired term ending 1969: Walter L. Smith, Charlotte.

For unexpired term ending 1971: C. M. Vanstory, Greensboro.

The Joint Session also confirmed appointments of the Governor to various State institutions.

The Joint Session dissolved at 8:00 p.m.

Session: House -- 8:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1429 - Introduced by Eagles
"To amend the State Highway Bond Act of 1965, subject to a vote of the people of the State, to raise the maximum interest rate from four per centum to five per centum with respect to State of North Carolina highway bonds." [As title indicates raises maximum interest rate for State Highway Bonds issued pursuant to SL 1965, Ch. 46 as amended by SL 1965, Ch. 913 from four to five per cent on favorable vote at special election on date fixed by Governor, which date may coincide with other scheduled elections of State or political subdivisions. Notice provisions and form of ballot set out. Registration to be as for regular elections; State to reimburse counties for cost of holding election from State Highway Fund; State Board of Elections to print and distribute ballots. In event of favorable vote of people on higher interest rate limitation, new maximum rates effective immediately. Identical with SB 748.] To Finance.

HB 1430 - Introduced by Eagles
"To provide that the Senate and House of Representatives shall meet on the first Wednesday after the first Monday in January next after their election." [Identical with SB 746 digested in Senate section of Bulletin No. 103 at page 1059 on June 30, 1967.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

None.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 69 - Congress Dist. Mills-Griffin, (Senate committee substitute 5/9), as amended in House 6/27. Conf. report adopted. (Digested in tonight's Senate bulletin.)

SR 177 - (Joint Resolution) Conservation-development study, (Senate committee substitute 5/3). Reported favorably.

SB 260 - Washington statue. Reconsidered vote by which tabled. Placed on calendar.

SB 269 - Cosmetic art regulation, as amended in Senate 6/15. Amendment adopted reducing educational requirement for alternate method of qualifying for registration as registered cosmetologist to completion of tenth grade of approved school (originally, was graduate of approved high school). Tabled.

SB 386 - ABC tax prohibition, as amended in Senate 5/25. Motion to reconsider vote by which failed to pass second reading defeated.

SB 474 - Insurance premium finance fees, as amended in Senate 6/28. Reported favorably.

SB 486 - Impounding abandoned vehicles, (Senate committee substitute 6/21). Reported favorably as amended.

SB 666 - Parks-forest study comm'n. Received from Senate; sent to Calendar Committee.

SB 713 - Driver license fees. Amendment adopted repealing SL 1967, Ch. 509, Sec. 1 (relating to proof of age on applying for license or renewal -- GS 20-7(b)). Failed to pass second reading.

SB 728 - Education Assistance Authority. Received from Senate; sent to Calendar Committee.

SB 739 - Alcoholic research. Received from Senate; sent to Calendar Committee.

SB 740 - Awarding merit SHP acts II. Received from Senate; sent to Calendar Committee.

HB 117 - Creek designation, as amended in House 6/26 and in Senate 7/3. Received for concurrence in Senate amendment; concurred.

HB 996 - Water use information, (House committee substitute 6/8), as amended in Senate 6/30. Received for concurrence in Senate amendment; concurred.

HB 1036 - Dispenser tax changes, as amended in House 6/23 and in Senate 6/29. Concurred in Senate amendment.

HB 1048 - Big game animals, as amended in House 6/16 and in Senate 7/3. Received for concurrence in Senate amendment; concurred.

HB 1077 - Pest Control Act of 1955, (House committee substitute 6/20), as amended in Senate 6/29. Received for concurrence in Senate amendment; concurred subject to second and third reading roll call.

HB 1410 - 10¢ State mileage rate. Reported favorably.

HB 1427 - Dairy Association assessments. Reported favorably.

LOCAL BILLS

SB 624 - (Polk) Electing principal. Passed.

SB 710 - (Henderson) School board election. Amendment withdrawn. Passed.

HB 1242 - (Buncombe, Lincoln) Longer loose-leaf registration, as amended in House 6/27 and in Senate 7/3. Received for concurrence in Senate amendment; concurred.

Next session of House: 2:00 p.m., Tuesday, July 4, 1967.

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BULLETIN NO. 105

Tuesday, July 4, 1967

Session: Senate -- 3:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE

SB 750 - Introduced by Moore and White of Lenoir by request
"To authorize certain funds to be used for the nourishment and maintenance of civil works projects." [Identical with HB 1431 digested in the House section of today's bulletin.] To Appropriations.

LOCAL BILLS INTRODUCED -- SENATE

SB 749 - (Harnett) Introduced by Morgan
"To fix the compensation of the mayor and members of the governing body of the Town of Angier in Harnett County." [Authorizes governing body of Town of Angier to fix salary of mayor at not to exceed $60 per month and of the members of the governing body at not to exceed $40 per month.] To Calendar Committee.

SENATE CALENDAR ACTION

PUBLIC BILLS

SB 106 - Alimony revision, as amended in Senate 6/2, and in House 6/30. Received for concurrence in House amendment; concurred.
SB 107 - Custody-support revision, as amended in Senate 6/2 and 6/7 and in House 6/30. Received for concurrence in House amendment; concurred.
SB 153 - Chief Medical Examiner, as amended in Senate 4/25 and 6/28. Received for concurrence in House amendment ; concurred.
SB 271 - State Board of Assessment, as amended in Senate 6/16, and in House 6/30. Received for concurrence in House amendment; placed on calendar for 7/5.
SB 394 - Assigned risk liability hike, as amended in House 6/30. Received for concurrence in House amendment; concurred.
SB 413 - Ordinance hearing (Senate committee substitute 6/28). Received for concurrence in House amendment. Placed on calendar for 7/5.
SB 483 - Motorboat operator licenses (Senate committee substitute 7/3). Amendment adopted to specify that among those ineligible for motorboat operator's license are habitual users of narcotic drugs or barbituates "(unless such use be in accordance with the prescription of a physician)." (In original bill parenthetical material read as follows: "whether or not such use be in accordance with the prescription of a physician."). Floor amendment adopted to remove Caldwell county from list of those to which act applicable. Passed second and third readings.
SB 486 - Impounding abandoned vehicles (Senate committee substitute 6/21). Received for concurrence in House amendment. Placed on calendar for 7/5.
SB 491 - Dispenser tax changes, as amended in Senate 6/28. Postponed to 7/5.

SB 518 - Liability ins. limits, as amended in Senate 6/16 and 6/19. Received for concurrence in House amendments. Placed on calendar for 7/5.
SB 535 - Securities law exemptions. Passed second and third readings.
SB 618 - Liability insurance coverage. Received fro concurrence in House amendment; concurred.
SB 627 - Past-60 state retirement, as amended in Senate 6/15. Passed third reading.
SB 737 - General Assembly worker pay. Postponed to 7/5.
SB 746 - January legislative convening. Passed second and third readings.
SB 748 - Highway bond amendments. Reported favorably. Placed on calendar for 7/4; postponed to 7/5.

HB 224 - Contradictory clause reading, as amended in House 6/7. Passed second and third readings.
HB 686 - Validating spouse contracts. Floor amendment adopted providing that provisions of Act not to apply to pending litigation. Passed second and third readings.
HB 1011 - Open meetings, as amended in House 6/15, and in Senate 7/3. Floor amendments adopted to declare as public policy of State that all citizens of State are entitled to full and complete information regarding the affairs of government and the official acts of those who transact the public business and affairs "and every individual shall be held responsible for the abuse of the same" (Adds quoted words and deletes provision of original bill that stated public policy as to all citizens shall apply "unless otherwise expressly provided by statute."). Tabled.
HR 1026 - (Joint Resolution) Public school study commission, as amended in House 6/28. Passed third reading.
HB 1056 - Revenue bonds, facility housing. Passed third reading.
HB 1092 - Firelighting deer evidence. Floor amendment adopted amending GS 113-104 to provide that it shall not be unlawful to use fire arms (new) in addition to artificial light when hunting racoons or opposum with dogs or when hunting frogs, except where prohibited by regulations of NC Wildlife Resources Comm'n. Passed third reading.
HB 1144 - Credit card insurance (House committee substitute 6/13). Floor amendment adopted deleting savings clause concerning payment of insurance premiums through credit card facilities of domicilliary banking institution. Passed third reading.
HB 1171 - Warehouse interstate property, as amended in Senate 7/3. Passed third reading.
HB 1198 - CSC employee sick leave (House committee substitute 6/15), as amended in House 6/22. Passed second and third readings.
HB 1200 - Motor vehicle brakes. Passed second and third readings.
HB 1201 - County capital reserves. Passed second and third readings.
HB 1202 - Utilities Commission appeals. Passed second and third readings.
HB 1328 - Distinctive hunter's markings. Received from House; sent to Calendar Com.
HB 1427 - Dairy Assoc. assessments. Received from House; sent to Calendar Com.

LOCAL BILLS

SB 712 - (Swain) School board election. Received for concurrence in House amendments; concurred.
HB 1292 - (Cumberland) Auditorium funds, as amended in House 6/14. Amendment adopted providing: (1) authorization given county board by act is to be exercised "if in its opinion it is necessary, desirable and proper" and expenditures therefor are declared necessary expense if Board is of such opinion (adds quoted words and deletes provision of original bill that authority was to be exercised by board "in its discretion and without

any limitation"); (2) limits non-tax, non-ABC, funds to be expended on authorized project to not more than $50,000 (original bill had no limitation). Postponed indefinitely.

HB 1394 - (Northampton) Register's fees. Passed.

HB 1424 - (Mecklenburg) Additional 10¢ per bottle ABC. Received from House; sent to Calendar Committee.

BILLS RATIFIED -- July 3, 1967

SB 100 - Vagabond Drama School app., as amended in Senate 6/28. [Ch. 1048]

SB 308 - Solicitor districts and duties (Senate committee substitute 6/26). [Ch. 1049]

SB 408 - Pilot retarded care funds, as amended in Senate 6/28. [Ch. 1050]

SB 581 - State Stadium Authority, as amended in House 6/28, and House 6/29. [Ch. 1051]

SR 632 - (Joint Resolution) LRC coastal insurance study. [R 79]

SB 642 - (Lenoir) Kinston CATV franchises. [Ch. 1052]

SB 660 - Right-of-way left. [Ch 1053]

SR 700 - (Joint Resolution) Civil Procedure Rules study, as amended in Senate 6/16, and House 6/29. [R 77]

SB 701 - Halifax) Roanoke Rapids Charter. [Ch. 1054]

SB 714 - (Harnett) Board of education conveyance. [Ch. 1055]

SB 719 - (Halifax) Annexation laws referendum. [Ch. 1056]

SB 720 - (Gaston) Regional planning commission. [Ch. 1057]

SB 724 - (Wake) Raleigh historic sites. [Ch. 1058]

HB 169 - ECC stadium addition, as amended in House 6/27. [Ch. 1059]

HB 467 - Veterans Comm'n and scholarships, as amended in House 5/12 and in Senate 6/28. [Ch. 1060]

HB 706 - (Gaston) Cramerton incorporation, as amended in House 6/7 and Senate 6/21, and 6/23. [Ch. 1061]

HB 833 - (Richmond) Hamlet ABC profits, as amended in Senate 6/29. [Ch. 1062]

HB 918 - Numbered legislative seats, as amended in House 6/9 and 6/12 (Senate committee substitute 6/23), as amended in Senate 6/28 and 6/29. [Ch. 1063]

HB 936 - Pre-trial exam State witness (House committee substitute 6/1). [Ch. 1064]

HB 972 - Agency reports to UNC branches, as amended in Senate 6/29. [Ch. 1065]

HB 981 - Funeral expense priority, as amended in Senate 6/29. [Ch. 1066]

HB 988 - Judgment notice, as amended in House 6/2 and Senate 6/29. [Ch. 1067]

HB 993 - Dam safety certification, as amended in House 6/9 and Senate 6/29. [Ch. 1068]

HB 995 - Well drilling changes (House committee substitute 6/8), as amended in Senate 6/29. [Ch. 1069]

HB 997 - Flood plain management. [Ch. 1070]

HB 998 - Local water storage assurances. [Ch. 1071]

HB 1004 - Aged auto insurance. [Ch. 1072]

HB 1032 - Reports to Asheville-Biltmore. [Ch. 1073]

HB 1038 - County aid to retarded. [Ch. 1074]

HB 1079 - Inland water boat pollution. [Ch. 1075]

HR 1085 - (Joint Resolution) Library Study Commission. [R 78]

HB 1097 - Motor vehicle rear lamps (House committee substitute 5/30), as amended in Senate 6/29. [Ch. 1076]

HB 1098 - Workable windshield wipers. [Ch. 1077]

HB 1100 - Amending HB 41, as amended in House 6/9. [Ch. 1078]

HB 1101 - Carrier's gross revenue tax. [Ch. 1079]

HB 1112 - Mortgage brokers license (House committee substitute 6/8), as amended in House 6/14. [Ch. 1080]

HB 1121 - Guard disability expenses, as amended in Senate 6/29. [Ch. 1081]

HB 1126 - Railroad track tampering. [Ch. 1082]
HB 1127 - Injury to realty. [Ch. 1083]
HB 1128 - Validating guardian's sales, as amended in House 6/12 and Senate 6/29. [Ch. 1084]
HB 1133 - Watershed assessment payment. [Ch. 1085]
HB 1146 - Local airport bond maturities. [Ch. 1086]
HB 1148 - Attorney-in-fact commissions. [Ch. 1087]
HB 1154 - Insurance fraud penalty. [Ch. 1088]
HB 1161 - Minors in bowling alleys, as amended in Senate 6/29. [Ch. 1089]
HB 1163 - Trip licenses. [Ch. 1090]
HB 1167 - Mutual deposit guaranty associations. [Ch. 1091]
HB 1168 - State employee defense. [Ch. 1092]
HB 1169 - Town, county employee defense. [Ch. 1093]
HB 1173 - Contract carriers permits. [Ch. 1094]
HB 1174 - Contract carrier defined. [Ch. 1095]
HB 1249 - (Mecklenburg) Local sales tax, as amended in House 6/20 and Senate 6/29. [Ch. 1096]
HB 1351 - (Tyrrell) Commissioners compensation. [Ch. 1097]
HB 1356 - Fraudulent license procurement, as amended in House 6/23. [Ch. 1098]
HB 1363 - (Craven) New Bern historic sites. [Ch. 1099]
HB 1366 - (Burke) Amends HB 766. [Ch. 1100]
HB 1367 - (Gaston) Gastonia court clerks pay. [Ch. 1101]
HB 1398 - (Graham) School board election. [Ch. 1102]
HB 1399 - (Cleveland) Kings Mtn. election hours. [Ch. 1103]
HB 1404 - (Hyde) Waterfowl shooting hours, as amended in House 6/28. [Ch. 1104]
HB 1405 - (Hyde) Englehard land conveyance. [Ch. 1105]
HB 1407 - (Macon) School board election. [Ch. 1106]

BILLS RATIFIED -- July 4, 1967

SB 19 - Budget appropriations (Senate committee substitute 6/26), as amended in Senate 6/27. [Ch. 1107]
SB 20 - Capital appropriations (Senate committee substitute 6/26). [Ch. 1108]
SB 69 - Congress Dist. Mills-Griffin (Senate committee substitute, 5/9), as amended in House 6/27 (Conference report, 7/3). [Ch. 1109]
SB 183 - Technical changes-revenue law (Committee substitute 6/23), as amended in Senate 6/26. [Ch. 1110]
SB 482 - Coastal area insurance # II (Senate committee substitute 6/9), as amended in Senate 6/14 and in House 6/30. [Ch. 1111]
SB 624 - (Polk)Electing principal. [Ch. 1112]
SB 710 - (Henderson) School board election. [Ch. 1113]
HB 117 - Creek designation, as amended in House 6/26 and in Senate 7/3. [Ch. 1114]
HB 498 - Ass't AG, Insurance Dep't, as amended in House 6/30. [Ch. 1115]
HB 749 - Boat sales tax. [Ch. 1116]
HB 996 - Water use information (House committee substitute 6/8), as amended in Senate 6/30. [Ch. 1117]
HB 1036 - Dispenser tax changes, as amended in House 6/23 and Senate 6/29. [Ch. 1118]
HB 1048 - Big game animals, as amended in House 6/16 and Senate 7/3. [Ch. 1119]
HB 1091 - General Assembly pay, as amended in House 5/30. [Ch. 1120]
HB 1093 - (Nash) Court reporters. [Ch. 1121]
HB 1234 - CATV franchises (House committee substitute 6/22). [Ch. 1122]
HB 1242 - (Buncombe, Lincoln) Longer loose-leaf registration, as amended in Senate 7/3. [Ch. 1123]
HB 1397 - (Watauga) Airport Comm'n land acquiring. [Ch. 1124]

Next session of Senate: 11:00 a.m., Wednesday, July 5, 1967.

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BULLETIN NO. 105
Tuesday, July 4, 1967

Session: House -- 2:00 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HB 1431 - Introduced by Hill and Williamson
"To authorize certain funds to be used for the nourishment and maintenance of civil works projects." [Authorizes use of up to $250,000 of $500,000 matching funds allocated to Seashore Commission for capital improvements under 1965 capital improvement appropriation act (SL 1965, Ch. 916) for nourishment and maintenance of civil works projects constructed or to be constructed in NC.] To Calendar Committee.

LOCAL BILLS INTRODUCED -- HOUSE

None.

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 153 - Chief Medical Examiner, as amended in Senate 4/25 and 6/28. Floor amendments adopted which delete sudden death when apparently in good health as one of cases when medical examiner must be notified, and add provision that repealer section is not effective until July 1, 1969. Passed third reading.

SR 177 - (Joint Resolution) Conservation-development study, (Senate committee substitute 5/3). Passed second and third readings.

SB 260 - Washington statue. Passed second and third readings.

SB 271 - State Board of Assessment, as amended in Senate 6/16 and in House 6/30. Passed second and third readings.

SB 413 - Ordinance hearing, (Senate committee substitute 6/28). Amended to change effective date from July 1, 1967 to August 1, 1967. Passed second and third readings.

SB 466 - Well construction standards, (Senate committee substitute 6/22). Passed second and third readings.

SB 474 - Insurance premium finance fees, as amended in Senate 6/28. Postponed to 7/5.

SB 486 - Impounding abandoned vehicles, (Senate committee substitute 6/21). Amendment adopted to delete all of committee substitute. except portion providing that at direction of any full time law enforcement officer, any motor vehicle left parked and unattended, or abandoned for period of forty-eight hours shall be towed to place of safety and storage. Passed second and third readings.

SB 518 - Liability ins. limits, as amended in Senate 6/16 and 6/19. Floor amendment adopted reducing from $20,000 to $15,000 increased limits for one person and from $40,000 to $30,000 increased limits for two persons. Passed second and third readings.

SB 521 - Small animal cruelty, as amended in Senate 6/16 and 6/19. Tabled.

SB 534 - Auto dealer amendments, as amended in Senate 6/23. Passed second and third readings.

SB 536 - Highway official titles. Passed second and third readings.

SB 537 - Alter & abandon NC roads, as amended in Senate 6/9. Passed second and third readings.

SB 538 - Bi-state road cooperation. Passed second and third readings.

SB 564 - Airport property tax exemption. Reported favorably.

SB 565 - Sales tax refunds for airports. Reported unfavorably.

SB 568 - Constitutional officers' pay, as amended in Senate 6/28. Passed second and third readings.

SB 583 - Mecklenburg alcoholic center, (Senate committee substitute 6/26). Passed second and third readings.
SB 588 - Marking motor carriers. Passed second and third readings.
SB 589 - Utilities laws publication. Passed second and third readings.
SB 590 - Natural gas pipeline safety, as amended in Senate 6/23. Passed second and third readings.
SB 591 - Exempt carrier safety rules, as amended in Senate 6/23. Passed second and third readings.
SB 592 - Excursion vehicle repealer. Passed second and third readings.
SB 593 - Poultry inspection. Passed second and third readings.
SB 601 - Motorboat gas tax allocation, as amended in Senate 6/28. Committee substitute adopted providing as follows: (1) Adds new GS 105-446.2 providing for Wildlife Resources Comm'n to receive 1/8 of 1% of net proceeds of motor fuels tax under GS 105-434, to be paid in accord with accounting periods under GS 105-446(1) for periods including only 7/1/67 to 7/1/69; Comm'n thereafter to submit to General Assembly requests for additional funds above license revenues; payments hereunder to be held in special account within Wildlife Resources Fund as provided by GS 75A-3(c). (2) Amends GS 105-445, which earmarks gasoline tax revenues for highway purposes, to make section subject to GS 105-446.2 (above) and to GS 136-41.1 (Powell Bill). (3) Effective July 1, 1967, with initial disbursement to WRC to be made from tax proceeds paid into Highway Fund during accounting period beginning July 1, 1967. (Original bill provided in greater detail for distributions to WRC beginning at 1/8 of 1%, gradually increasing to 1/2 of 1% after 1970, and without any cutoff date.) Passed second and third readings.
SB 609 - Local tax refund cutoff. Passed second and third readings.
SB 616 - Pickup truck rear view mirrors. Passed second and third readings.
SB 618 - Liability insurance coverage. Floor amendment adopted providing that Act is not to affect any claims or causes of action arising before ratification. Passed second and third readings.
SB 627 - Past-60 state retirement, as amended in Senate 6/15. Received from Senate; sent to Calendar Committee.
SB 631 - Art Museum Bldg. Comm'n, as amended in Senate 6/16. Passed second and third readings.
SB 645 - Personnel Act exemptions. Passed second and third readings.
SB 648 - Municipal ABC elections, as amended in Senate 6/15 and 6/19. Technical committee amendment adopted. Floor amendment adopted adding new section providing that Act does not repeal any local or special act relating in any manner to municipal ABC stores, to machinery for establishment of such stores, or to distribution of profits from them. Failed to pass second reading.
SR 698 - (Joint Resolution) Bird dog field trials. Reported favorably.
SB 728 - Ed. Assistance Authority. Reported favorably; passed second reading.
SB 746 - January legislative convening. Received from Senate; sent to Calendar Committee.

HB 3 - $2,000 household exemption. Reported unfavorably.
HB 417 - Fishing license exemption. Withdrawn from Wildlife Resources; re-referred to Calendar Committee.
HB 477 - Oldsters hunting and fishing. Withdrawn from Wildlife Resources; re-referred to Calendar Committee.
HB 750 - State highway firearm prohib., as amended in House 5/26. Withdrawn from Wildlife Resources; re-referred to Calendar Committee.
HB 1077 - Pest Control Act of 1965, (House committee substitute 6/20), as amended in Senate 6/29. Passed second reading.
HB 1092 - Firelighting deer evidence. Received for concurrence in Senate amendment; concurred.

HB 1144 - Credit card insurance, (House committee substitute 6/13). Received for concurrence in Senate committee substitute. Failed to concur.
HB 1328 - Distinctive hunter's markings. Amendment adopted to make bill applicable only to Davidson County. Passed second and third readings.
HB 1410 - 10¢ State mileage rate. Postponed to 7/5.
HB 1427 - Dairy Assoc. assessments. Passed second and third readings.
HB 1429 - Highway Bond Act amendments. Reported favorably. Placed on today's calendar; failed to pass second reading.

LOCAL BILLS

SB 620 - (Henderson) No crop dusting near towns, as amended in Senate 6/16. Passed.
SB 623 - (Harnett) School bonds. Passed third reading.
SB 712 - (Swain) School board election. Floor amendment adopted which provides that terms of present board members expire April 1969 (original, 1970); provides for election of three members in 1968 (original, 1970) for four year terms (original, three for four years and two for two years); provides for organizational meeting in April 1969 (original, December 1968); and makes other conforming changes. Passed.
SB 721 - (Cherokee) School board elections, as amended in Senate 6/30. Passed.
SB 733 - (Harnett) Buie's Creek charter repeal. Passed.
SB 736 - (Cabarrus) Concord officials' pay. Passed.
SB 744 - (Brunswick) Street statute of limitations. Reported favorably.

HB 274 - (Hyde) Hunting restriction. Withdrawn from Wildlife Resources; re-referred to Calendar Committee.
HB 677 - (Hyde) Non-hunting from roads. Withdrawn from Wildlife Resources; re-referred to Calendar Committee.
HB 1424 - (Mecklenburg) Additional 10¢ per bottle. Committee substitute adopted authorizing Mecklenburg ABC Board to spend up to $250,000 annually out of gross revenue, additionally, for alcoholic education, research, treatment and rehabilitation, and for construction and operation of facilities therefor (originally, provided for 10¢ per bottle additional tax, of which 5¢ to be retained by board for alcoholic education, etc.). Passed.

Unnumbered House Resolution

HR [M] Introduced by Johnson of Wake and others
"To commend the State Board and Department of Public Welfare for their community services demonstration project and encourage its continuation." [Commends NC State Board of Public Welfare and staff of NC State Department of Public Welfare for its work in community service demonstration projects and encourages them to find whatever sources of financial assistance they can to perpeturate this approach.] Passed.

Nest session of House: 10:30 a.m., Wednesday, July 5, 1967.

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JOINT SESSION -- HOUSE AND SENATE

House Chamber: 7:00 p.m., July 3, 1967

The Joint Session confirmed the following appointees of the Governor to the named institutions for the indicated terms:

Board of Directors of the North Carolina Directors of Schools for the Deaf (Term beginning November 30, 1965 and ending July 17, 1969): Dr. Edgar T. Beddingfield, Jr. Stantonsburg; Mrs. James C. Farthing, Lenoir; Mrs. L. C. Gifford, Hickory; Mr. John N. Kalmar, Faison; Mr. James G. Northcott, Sr., Black Mountain; Mr. O. H. Pons, Sr., Valdese; Mr. Cecil Lee Porter, North Wilkesboro; Mr. S. J. Westmoreland, Marion; Mr. J. J. Wade, Jr., Charlotte; Mrs. Adam J. Whitley, Smithfield; Mr. Roy Benjamin Williams, Elm City.

The Agricultural and Technical College of North Carolina Board of Trustees (Term beginning 9/23/63 and ending 6/30/71): Dr. Andrew Best, Greenville; James A. Graham, Raleigh; Dr. Otis E. Tillman, High Point.

Appalachian State Teachers College Board of Trustees (Term beginning 9/25/63 and ending 6/30/71 unless otherwise indicated): John Frank, Mount Airy; E. G. Lackey, Winston Salem; John H. Vickers, Charlotte; Lester P. Martin, Jr., Mocksville 9/25/63 - 6/30/67.

North Carolina College at Durham Board of Trustees (Term beginning 8/20/63 and ending 6/30/71): Mrs. Harvey Beech, Kinston; Marshall T. Spears, Durham; M. H. Thompson, Durham.

East Carolina College Board of Trustees (Terms beginning and ending as indicated): Irving E. Carlyle, Winston-Salem 6/8/63 - 6/30/71; Mrs. Terry Sanford, Fayetteville 12/29/64 - 6/30/71; David Whichard, Greenville 6/28/63 - 6/30/71.

State Board of Education (Term beginning 7/5/63 and ending 4/1/71): John A. Pritchett, Windsor; Barton Hayes, Lenoir.

Elizabeth City State College Board of Trustees (Term beginning and ending as indicated Albert G. Byrum, Edenton 9/16/63 - 6/30/71; McDonald Dixon, Elizabeth City 9/16/63 - 6/30/71 - Martin L. Wilson, Selma 9/16/63 - 6/30/71; John C. Bias, Scotland Neck 12/28/64 - 6/30/69; Mrs. W. Arthur Tripp, Greenville 12/28/64 - 6/30/69; John Whitted Bond, Windsor 9/16/63 - 6/30/67.

Fayetteville State College Board of Trustees (Term beginning 9/23/63 and ending 6/30/71): Dr. W. P. DeVane, Fayetteville; Victor Dawson, Fayetteville; K. A. MacDonald, Raeford.

Western Carolina College Board of Trustees (Term beginning 10/16/63 and ending 6/30/71 unless otherwise indicated): Mrs. Dan K. Moore, Canton; Modeal Walsh, Robbinsville; Boyce Whitmire, Hendersonville; Morgan Cooper, Forest City 10/16/63 - 6/30/69.

Winston-Salem State College Board of Trustees (Term beginning 8/8/63 and ending 6/30/71): Gordon Hanes, Winston-Salem; John Hough, Leaksville; Samuel O. Jones, Salisbury.

Board of Trustees of Winston-Salem State College (Term beginning 8/20/65 and ending 6/30/73): Thomas W. Blackwell, Jr., Winston Salem; Charles G. Tomlinson, Mocksville; Ralph M. Stockton, Jr., Winston-Salem.

Board of Trustees of Wilmington College (Term beginning 8/20/65 and ending 6/30/73 unless otherwise indicated): Addison Hewlett, Jr., Wilmington 8/20/65 - 6/30/67; Frederick Coville, Atkinson; Alan A. Marshall, Wilmington; Lynn B. Tillery, Jr., Wilmington.

Board of Trustees of Western Carolina College (Term beginning 10/12/65 and ending 6/30/73): J. Ramsay Buchanan, Sylva; Arnold J. Hyde, Asheville; W. Frank Forsyth, Murphy.

Board of Trustees of Elizabeth City State College (Term beginning 8/20/65 and ending 6/30/73): Roland L. Garrett, Elizabeth City; A. Pilston Godwin, Jr., Gatesville; Fred P. Markham III, Elizabeth City.

Board of Trustees of the North Carolina College at Durham (Term beginning and ending as indicated): Bascom T. Baynes, Durham 11/1/65 - 6/30/73; Robert J. Brown, High Point 11/1/65 - 6/30/73; Mrs. R. S. Ferguson, Taylorsville 12/15/65 - 6/30/73; Mrs. Everett I. Bugg, Jr., Durham 2/6/67 - 6/30/69.

Board of Trustees of Asheville-Biltmore College (Term beginning and ending as indicated: Dr. Jerome L. Reeves, Canton 8/20/65 - 6/30/69; George Hoyle Blanton, Jr., Forest City 8/20/65 - 6/30/73; Robert F. Phillips, Asheville 8/20/65 - 6/30/73; Richard B. Wynne, Asheville 8/8/66 - 6/30/73.

Board of Trustees of Appalachian State Teachers College (Term beginning 8/20/65 and ending 6/30/73): George Henry Corn, Shelby; Dr. John Bartlett Hagaman, Jr., Boone; William Ralph Winkler, Sr., Boone.

Board of Trustees of Agricultural and Technical College of North Carolina (Term beginning 8/17/65 and ending 6/30/73): Robert H. Frazier, Greensboro; L. L. Ray, Greensboro; William Bartelle Wicker, Greensboro.

Board of Trustees of East Carolina College (Term beginning 7/15/65 and ending 6/30/73): Henry Belk, Goldsboro; Troy Dodson, Greenville; Robert B. Morgan, Lillington

State Board of Education (Term beginning 8/12/65 and ending 4/1/73): William R. Lybrook, Winston-Salem; Garland S. Garriss, Troy.

Board of Trustees of Pembroke State College (Term beginning 7/8/65 and ending 6/30/73): Hal W. Little, Wadesboro; Elmer T. Lowry, Rowland; Zeb A. Lowry, Pembroke.

Board of Trustees of Fayetteville State College (Term beginning 8/20/65 and ending 6/30/73): John H. Cook, Fayetteville; Mrs. James R. Nance, Fayetteville; Stewart B. Warren, Clinton.

INSTITUTE OF GOVERNMENT

LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 106

Wednesday, July 6, 1967

Sessions: Senate -- 11:00 a.m. and 2:30 p.m.

PUBLIC BILLS INTRODUCED -- SENATE -- 11:00 A.M. SESSION

None

LOCAL BILLS INTRODUCED -- SENATE -- 11:00 A.M. SESSION

None

SENATE CALENDAR ACTION -- 11:00 A.M.

PUBLIC BILLS

SB 8 -- Service Retirement Pay, as amended in Senate 6/30. Received for concurrence in House amendment. Concurred.

SB 271 -- State Board of Assessment, as amended in Senate 6/16, and in House 6/30. Concurred in House amendment.

SB 413 -- Ordinance hearing (Senate Committee Substitute 6/28), as amended in House 7/4. Concurred in House amendment.

SB 486 - Impounding abandoned vehicles (Senate committee substitute 6/21), as amended in House 7/4. Concurred in House amendment.

SB 491 - Dispenser tax changes, as amended in Senate 6/28. Postponed indefinitely.

SB 518 - Liability ins. limits, as amended in Senate 6/16 and 6/19, and in House 7/4. Concurred in House amendment.

SB 601 - Motorboat gas tax allocation, as amended in Senate 6/28 (House committee substitute 7/4). Received for concurrence in House committee substitute; passed second and third readings.

SB 709 - Vehicle dealers licenses. Received for concurrence in House amendment. Concurred.

SB 715 - Wrongful death evidence. Reported favorably as amended.

SB 737 - General Assembly worker pay. Floor amendment adopted requesting Legislative Research Commission to study position classification, minimum and maximum ages of persons to be employed and salary ranges for clerical and secretarial employees and other employees of General Assembly mentioned in act, and to seek advice of presiding officers, principal clerks, sergeant-at-arms, Director of Department of Administration, State Budget Officer and Advisory Budget Commission, with LRC to submit report with recommendations to 1969 General Assembly. Passed second and third readings.

SB 738 - Executive officers' salaries. Reported favorably. Placed on Calendar for 7/5.

SB 743 - Utilities Commission Salaries. Reported favorably. Placed on Calendar for 7/5.

SB 746 - January legislative convening. Received for concurrence in House amendment; concurred.
SB 748 - Highway bond act amendments. Postponed indefinitely.
SB 750 - Civil works projects funds II. Reported favorably.

HB 297 - Alcoholic rehabilitation funds (Senate committee substitute 6/26), as amended in Senate 6/30. Passed third reading.
HB 619 - Habitual felons (House committee substitute 6/6) as amended in House 6/7 and 6/9. Reported favorably as amended; placed on Calendar for 7/5.
HB 1030 - NC Burial Ass'n Commission. Floor amendment adopted directing Comm'n to adopt regulations to provide for the orderly transfer of a member's benefits in merchandise and services from official funeral director of member's association to official funeral director of any other mutual burial association in good standing. Passed third reading.
HB 1076 - Inland water boat pollution. Amended providing that circumstances that in original led to "presumption" of certain credit card violations are "prima facie evidence" of such violations, and renumbering sections and changing internal references in conformance thereto (amends GS14-113.10 and 14-113.12, deletes 14-113.14), and renumbers sections following 14-113.14. Passed second and third readings.
HB 1144 - Credit card insurance (House committee substitute 6/13), as amended in Senate 7/4. Received for appointment of conferees. Following Senators appointed: Alford, Bailey, Burney, Hancock, and Shuford.
HB 1172 - Uninsured motorist insurance, as amended in House 6/12 and in Senate 6/29. Passed third reading.
HB 1189 - Assigned risk default jdgmts, as amended in House 6/12 and 6/14. Amended by: (1) deleting reference to pleadings "to be filed" as among those needed to be forwarded to insurer before default judgement against assigned insured can be used as basis for judgement against insurer; (2) providing that if signature is on return receipt of such notice by agent of insurer (originally, insured) notice is deemed received; (3) providing that insurer not to be construed by act to be deprived of "defenses that the policy was not in force" etc. (originally, deprived of "policy defenses, that the policy was not in force" etc.); and (4) making clarifying changes. Passed second and third readings.
HB 1310 - Retired service pay tax. Re-referred to Calendar Committee.
HB 1312 - Self-employed retirement tax, as amended in House 6/23. Withdrawn from Finance; re-referred to Calendar Committee.
HB 1374 - Rescue squads (House committee substitute 6/27). Reported favorably.
HB 1412 - US Senator election. Reported favorably.
HB 1422 - Deputy Secretary of State. Reported favorably.
HB 1423 - GS Vols. 1C, 1D, 2A, 3A. Reported favorably.
HR 1426 - (Joint Resolution) Legislative computer services. Reported favorably.
HB 1427 - Dairy Assoc. assessments. Reported favorably.
HB 1431 - Civil works projects funds II. Received from House; placed on calendar for 7/5.
HB 1432 - (Joint Resolution) Sine die adjournment. Received from House; placed on calendar for 7/5. Passed second and third readings.

LOCAL BILLS

HB 1292 - (Cumberland) Auditorium funds, as amended in House 6/14, and in Senate 7/4. Vote by which postponed indefinitely reconsidered. Passed.
HB 1401 - (Edgecombe, Nash) District health dept. Passed.
HB 1413 - (Orange) Chapel Hill land exchange. Passed.
HB 1419 - (Duplin) Kenansville elections. Passed.
HB 1428 - (Guilford) CSC salary. Passed.

Recessed at 1:45 p.m. to reconvene at 2:30 p.m.

Session: Senate -- 2:45 p.m.

PUBLIC BILLS INTRODUCED -- SENATE, 2:45 P.M. SESSION

SR 751 - (Senate Resolution) Introduced by Wood
"Requesting the State Highway Commission to temporarily re-locate Highway U.S. 17." [Resolves that "Highway U.S. 17 be re-located to the Piedmont Crescent, four-laned with appropriate bypasses, and brought back and placed in its original position" in Eastern North Carolina. Certified copies to be sent to Governor and Chairman of Highway Commission.] Passed.

LOCAL BILLS INTRODUCED -- SENATE, 2:45 P.M. SESSION

None

SENATE CALENDAR ACTION -- 2:45 P.M. SESSION

PUBLIC BILLS

SB 738 - Executive officers' salaries, as amended in Senate 7/3. Amendment adopted changing effective date of act from January 1, 1969 to July 1, 1967. Passed second and third readings.
SB 743 - Utilities Commission Salaries. Reported favorably. Placed on calendar for 7/5. Passed second and third readings.

HB 1144 - Credit card insurance (House committee substitute 6/13), as amended in Senate 7/4. Conference report adopted rejecting Senate amendment deleting savings clause concerning payment of insurance premiums through credit card facilities of domicilliary banking institutions.
HB 1193 - Roadside junkyard control, as amended in House 6/20. Passed second and third readings.
HB 1194 - Highway beautification, as amended in House 6/21. Amendment adopted deleting authorization to State Highway Commission to acquire fee simple title or lesser interest in real property by condemnation, deleting sec. 4 of act setting out condemnation procedure, and renumbering subsequent sections. Passed second and third readings.
HB 1195 - Billboard regulation, as amended in House 6/21. Floor amendments adopted: (1) deleting provision making one guilty of a misdemeanor if he places or erects outdoor advertising along Interstate or primary system in violation of rules and regulations promulgated by State Highway Commission; (2) deleting provision making it unlawful and a nuisance for any outdoor advertising to be erected after effective date of and in violation of rules and regulations issued by SHC pursuant to act; and (3) deleting provision that unzoned commercial or industrial areas (wherein regulated advertising is located) are to be determined from actual land uses and defined by regulations to be promulgated by SHC. Passed second and third readings.
HB 1206 - Outstate attorneys practice. Passed second and third readings.
HB 1209 - Add 2 AG court reports. Passed second and third readings.
HB 1214 - Dormant carrier franchises. Passed second and third readings.
HB 1215 - Transferred carrier franchises. Passed second and third readings.
HB 1216 - Exempt motor carriers. Passed second and third readings.
HB 1220 - Pers'l injury med'l report, as amended in House 6/14. Passed second and third readings.
HB 1222 - Retirement system investment (House committee substitute 6/13), as amended in House 6/22. Passed second and third readings.

HB 1224 - $15,000 State tort liability. Passed second and third readings.
HB 1231 - Child detention alternate. Passed second and third readings.
HB 1240 - County and municipal zoning. Passed second and third readings.
HB 1253 - Revenue Act codification. Passed second and third readings.
HB 1254 - Machinery Act codification. Passed second and third readings.
HB 1259 - Eminent domain counsel fees. Floor amendment adopted deleting phrase "property owner or property owners" wherever it appears in act and inserting in its place "property owners or owners or persons having an interest in property." Passed second and third readings.
HB 1260 - Nursing direct payments. Passed second and third readings.
HB 1261 - School laws printing. Passed second and third readings.
HB 1262 - Front lamps to head lamps. Passed second and third readings.
HB 1269 - Blind-handicapped retirement (House committee substitute 6/22), as amended in House 6/22. Passed second and third readings.
HB 1271 - Abandoned vehicles disposal. Passed second and third readings.
HB 1273 - Frying Pan Lightship Comm'n. Passed second and third readings.
HB 1278 - Podiatry practice changes. Passed second and third readings.
HB 1285 - Workmen's comp cancellation. Passed second and third readings.
HB 1289 - Abandoned vehicles changes, as amended in House 6/22. Amendment adopted providing that vehicle to be determined to have been abandoned if it has been left unattended upon a street or highway in violation of a law or ordinance prohibiting (original "in violation of a law or ordinance regulating or prohibiting") parking for a period of 24 hours. Passed second and third readings.
HB 1295 - Redefining slot machines. Passed second and third readings.
HB 1297 - Felony-misdemeanor changes (House committee substitute 6/22). Amendment adopted deleting section providing that discretionary punishment by court shall be deemed specific if it indicates that offense in question is punishable in discretion of court, and setting out limitations on such discretion, and renumbering sections of act in conformance thereto. Passed second and third readings.
HB 1304 - Gift tax advance payments. Passed second and third readings.
HB 1306 - Medical benefits tax exemption. Passed second and third readings.
HB 1309 - $5,000 inheritance tax exemption. Passed second and third readings.

HB 1311 - Manufacturers inventory tax. Amendment adopted providing that one making false return of statement in obtaining benefit of act's exemption from NC tax situs of goods awaiting out-of-state shipment shall be guilty of felony punishable by fine or imprisonment or both in discretion of court. Floor amendment adopted providing that a report or return of property shall be provided (originally, not required). Tabled.
HB 1318 - Newspaper dispenser tax exempts, as amended in House 6/22. Tabled.
HB 1324 - Amending HB 646. Passed second and third readings.
HB 1325 - Local health departments. Passed second and third readings.
HB 1326 - NHSA benefits to State. Passed second reading.
HB 1335 - Changing primary time, as amended in House 6/26. Amendment adopted changing time for primary elections to "last Tuesday" and floor amendment adopted changing "last Tuesday" to "last Saturday" (original, "first Tuesday"). Passed second and third readings.

HB 1337 - Porpoise protection, as amended in House 6/23. Passed second and third readings.
HB 1342 - Municipal Hwy. safety act aid. Passed second reading.
HB 1355 - Annexation technical changes, as amended in House 6/23. Passed second and third readings.
HB 1359 - Escheat auto collision funds. Passed second and third readings.
HB 1372 - Joint local recreation facils. Passed second and third readings.
HB 1373 - Chronic alcoholic laws. Amendment adopted to make following changes in original bill: (1) Provides that upon being convicted of offense covered by act "or plea of guilty" thereto he shall be guilty of misdemeanor punishable by fine of not more than $50 or imprisonment for not more than 20 days in county jail (adds quoted words and deletes provision of original for commitment upon first offense to custody of Director of Prisons for an indeterminate sentence of not less than 30 days nor more than six months); (2) Adds new provision that upon conviction for subsequent offense under act within 12 months, punishment shall be fine or imprisonment specified for first offense, or by commitment to custody of Director of Prisons for an indeterminate sentence of not less than 30 days nor more than six months. Passed second and third readings.
HB 1382 - Pre-need burial contracts. Amendment adopted adding that "Pre-Need Burial Contract" not to mean furnishing of grave markers and monuments and that payments of money for furnishing of grave markers and monuments not held to be trust funds. Floor amendment adopted to provide that willful violation of act shall be misdemeanor punishable as specified in original bill. Failed to pass second reading.
HB 1385 - Misc. workmen's comp. changes, as amended in House 6/29. Passed second and third readings.
HB 1386 - Gen. Stats. Comm'n appointee. Passed second and third readings.
HB 1390 - Inspection warrants, as amended in House 6/23. Amendment adopted to: (1) elminate provision for warrants to search or inspect "a person" (leaving provision for property search warrants); (2) provide that search warrant describe property sufficiently so that executor of warrant and "owner" or possessor of property can reasonably determine for what property inspection is authorized (adds quoted word); (3) specify that warrant shall be "personally served on owner or posessor of the property" within 24 hours of issuance and between hours of 8 a.m. and 8 p.m. (adds quoted words). Passed second reading.
HB 1393 - Liquefied petroleum standards. Passed second and third readings.

LOCAL BILLS

None

Next session of Senate: 10:00 a.m., Thursday, July 6, 1967.

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BULLETIN NO. 106
Wednesday, July 5, 1967

Session: House -- 10:30 a.m.

PUBLIC BILLS INTRODUCED -- HOUSE

HR 1432 - (Joint Resolution) Introduced by Johnson of Duplin "Providing for adjournment on Thursday, July 6, 1967." [Provides for sine die adjournment of 1967 General Assembly on Thursday, July 6, 1967 at 4:00 p.m.] Passed three readings and sent to Senate.

LOCAL BILLS INTRODUCED -- HOUSE

None

HOUSE CALENDAR ACTION

PUBLIC BILLS

SB 8 - Service retirement pay, as amended in Senate 6/30. Reported favorably as amended, and placed on calendar. Technical amendment adopted. Passed second and third readings.

SB 89 - Beer-wine transportation. Motion to withdraw from Propositions and Grievances failed.

SB 270 - Public service assessment, as amended in Senate 6/16. Reported unfavorably.

SB 474 - Insurance premium finance fees, as amended in Senate 6/28. Passed second reading.

SB 483 - Motorboat operator licenses (Senate committee substitute 7/3), as amended in Senate 7/4. Received from Senate; sent to Calendar Committee.

SB 535 - Securities law exemptions. Received from Senate; sent to Calendar Committee

SB 564 - Airport property tax exemption. Passed second and third readings.

SB 601 - Motorboat gas tax allocation, as amended in Senate 6/28, (House committee substitute, 7/4). Passed second and third readings.

SB 627 - Past-60 state retirement, as amended in Senate 6/15. Reported favorably and placed on calendar. Passed second reading.

SB 646 - Insurance co. stock purchase, as amended in Senate 6/27. Passed second and third readings.

SB 648 - Municipal ABC elections, as amended in Senate 6/15 and 6/19 and in House 7/4. Reconsidered vote by which failed to pass second reading. Floor amendments adopted adding provision that municipality well known as summer resort be allowed to compute its population as of July in year preceding time in which such election is held provided Federal Census next preceding election shows a population of 500 or more permanent residents residing in said municipality (original refers only to municipality known as summer resort being allowed to compute its population as of July); and making act inapplicable to Avery, Mitchell and Watauga counties. Tabled.

SB 651 - Family court counsellor powers. Passed second and third readings.

SB 652 - Small claims defendants. Passed second and third readings.

SB 671 - New resident auto licensing. Passed second and third readings.

SB 674 - Coastal Plains Regional Comm'n. Passed second and third readings.

SB 687 - Issuing subpoena duces tecum. Passed second and third readings.

SB 694 - Meals for sequestered jurors. Passed second and third readings.

SB 697 - Lt. Governor's compensation, as amended in Senate 6/28. Passed second and third readings.

SR 698 - (Joint Resolution) Bird dog field trials. Passed second and third readings.

SB 707 - Inheritance tax refunds. Passed second and third readings.
SB 708 - Motor vehicles record fees. Passed second and third readings.
SB 709 - Vehicle dealers licenses. Amendment adopted exempting dealers and manufacturers of trailers weighing less than 750 (original 500) pounds and carrying loads of not more than 1500 (original 1000) pounds. Passed second and third readings.
SB 717 - Stealing secrets. Reported favorable and placed on calendar. Passed second and third readings.
SB 718 - Judicial discretion, as amended in Senate 6/23. Tabled.
SR 726 - (Joint Resolution) LRC Water Resource Law study. Passed second and third readings.
SB 727 - Amends SB 2, State exemption. Passed second and third readings.
SB 728 - Ed. Assistance Authority. Passed third reading.
SB 737 - General Assembly worker pay, as amended in Senate 7/5. Received from Senate; sent to Calendar Committee.
SB 739 - Alcoholic research. Reported favorably and placed on Calendar. Passed second and third readings.
SB 740 - Awarding merit SHP acts II. Reported favorably and placed on Calendar. Passed second and third readings.
SB 746 - January legislative convening. Reported favorably and placed on calendar. Floor amendment adopted providing that General Assembly meet first Wednesday after second (originally, first) Monday in January following election. Passed second and third readings.

HB 297 - Alcoholic rehabilitation funds (Senate committee substitute 4/26), as amended in Senate 6/30. Received for concurrence in Senate amendment; referred to Calendar Committee.
HB 681 - Public service co. assessment. Reported unfavorably.
HB 686 - Validating spouse contracts, as amended in Senate 7/4. Received for concurrence in Senate amendment; concurred.
HB 939 - Tobacco tax. Reported unfavorably with minority report. Motion to adopt minority report tabled.
HB 1005 - NC common carriers. Reported unfavorably.
HB 1030 - NC Burial Ass'n Commission as amended in Senate 7/5. Received for concurrence in Senate amendment; concurred.
HB 1037 - Tobacco tax II. Reported unfavorably with minority report. Motion to adopt minority report failed.
HB 1076 - Credit card misuse, as amended in House 6/22 and 6/26 and in Senate 7/5. Received for concurrence in Senate amendment; placed on calendar.
HB 1077 - Pest Control Act of 1955 (House committee substitute, 6/20), as amended in Senate 6/29. Passed third reading.
HB 1144 - Credit card insurance, (House committee substitute 6/13), as amended in Senate 7/4. Speaker appointed following conferees: Ramsey of Person, Jones, Exum, Taylor of Carteret, and Royall.
HB 1171 - Warehouse interstate property, as amended in Senate 7/3. Received for concurrence in Senate amendment; concurred.
HB 1172 - Uninsured motorist insurance, as amended in House 6/12, and in Senate 6/29. Received for concurrence in Senate amendment; concurred.
HB 1189 - Assigned risk default judgments, as amended in House 6/12 and 6/14 and in Senate 7/5. Received for concurrence in Senate amendment; placed on cal.
HB 1263 - Income tax sharing, counties. Reported unfavorably.
HB 1410 - 10¢ State mileage rate. Postponed indefinitely.
HB 1431 - Civil works projects funds II. Reported favorably and placed on calendar. Passed second and third readings.

LOCAL BILLS

SB 744 - (Brunswick) Street statute of limitations. Passed.

HB 1292 - (Cumberland) Auditorium funds, as amended in House 6/14 and Senate 7/4. Received for concurrence in Senate amendment; concurred.

BILLS RATIFIED

SR 177 - (Joint Resolution) Conservation-development study (Senate committee substitute 5/3). [R 80]
SB 260 - Washington's statute. [Ch. 1125]
SB 534 - Auto dealer amendments, as amended in Senate 6/23. [Ch. 1126]
SB 536 - Highway official titles. [Ch. 1127]
SB 537 - Alter & abandon NC roads, as amended in Senate 6/9. [Ch. 1128]
SB 538 - Bi-state raod cooperation. [Ch. 1129]
SB 568 - Constitutional officers' pay, as amended in Senate 6/28. [Ch. 1130]
SB 583 - Mecklenburg alcoholic center (Senate committee substitute 6/26). [Ch. 1131]
SB 588 - Marking motor carriers. [Ch. 1132]
SB 589 - Utilities laws publication. [Ch. 1133]
SB 590 - Natural gas pipeline safety, as amended in Senate 6/23. [Ch. 1134]
SB 591 - Exempt carrier safety rules, as amended in Senate 6/23. [Ch. 1135]
SB 592 - Excursion vehicle repealer. [Ch. 1136]
SB 593 - Poultry inspection. [Ch. 1137]
SB 609 - Local tax refund cutoff. [Ch. 1138]
SB 616 - Pickup truck rear view mirrors. [Ch. 1139]
SB 620 - (Henderson) No crop dusting near towns, as amended in Senate 6/16. [Ch. 1140]
SB 623 - (Harnett) School bonds. [Ch. 1141]
SB 631 - Art Museum Bldg. Comm'n, as amended in Senate 6/16. [Ch. 1142]
SB 645 - Personnel Act exemptions. [Ch. 1143]
SB 690 - (Stanly) School board election. [Ch. 1144]
SB 721 - (Cherokee) School board elections, as amended in Senate 6/30. [Ch. 1146]
SB 733 - (Harnett) Buie's Creek charter repeal. [Ch. 1145]
SB 736 - (Cabarrus) Concord officials' pay. [Ch. 1147]

HB 1056 - Revenue bonds, facility housing. [Ch. 1148]
HB 1092 - Firelighting deer evidence, as amended in Senate 7/4. [Ch. 1149]
HB 1394 - (Northampton) Register's fees. [Ch. 1150]

Next session of House: 9:30 a.m., Thursday, July 6, 1967.

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LEGISLATIVE SERVICE

GENERAL ASSEMBLY OF NORTH CAROLINA

DAILY BULLETIN

P. O. Box 7294 State Legislative Building Telephone 755-2838

BULLETIN NO. 107

Thursday, July 6, 1967

Sessions: Senate -- 10:00 a.m. and 2:00 p.m.

PUBLIC BILLS INTRODUCED -- SENATE -- 10:00 A.M. SESSION

None.

LOCAL BILLS INTRODUCED -- SENATE -- 10:00 A.M. SESSION

None.

SENATE CALENDAR ACTION -- 10:00 A.M. SESSION

PUBLIC BILLS

SB 474 - Insurance premium finance fees, as amended in Senate 6/28 and in House 7/6 Received for concurrence in House amendment; concurred.

SB 666 - Parks-forest study comm'n, as amended in Senate 7/3 and in House 7/6. Received for concurrence in House amendment; concurred.

SB 715 - Wrongful death evidence. Amendment adopted to exempt pending litigation from act. Tabled in accordance with Rule 52, substantially the same subject matter as contained in HB 682.

SR 731 - (Joint Resolution) International relations. Reported favorably. Placed on calendar for 7/6. Passed second and third readings.

SB 750 - Civil works projects funds II. Postponed indefinitely.

HB 619 - Habitual felons, (House committee substitute 6/6), as amended in House 6/7 and 6/8. Amendment adopted providing that pleas of guilty to or convictions of felony offenses prior to effective date of act not to be felony offenses within meaning of act (original provided that such pleas or convictions prior to effective date to be felony offenses within meaning of act), and deleting provision that no person to be defined as an habitual felon unless he commits a third or subsequent felony after effective date of act and is convicted of or pleads guilty thereto. Passed second and third readings.

HB 1312 - Self-employed retirement, tax, as amended in House 6/23. Reported favorably. Placed on calendar for 7/6. Passed second and third readings.

HB 1326 - NHSA benefits to State. Passed third reading.

HB 1335 - Changing primary time, as amended in House 6/26 and in Senate 7/5. Returned for appointment of conferees. Following Senators appointed: Byrd, Simmons, and Evans.

HB 1342 - Municipal Hwy. Safety Act aid. Passed third reading.

HB 1369 - Franchise tax formula, as amended in House 7/6. Received from House; sent to Calendar Committee.

HB 1374 - Rescue squads (House committee substitute 6/27). Passed second and third readings.

HB 1376 - Forsyth courts, retirement, as amended in House 6/28. Passed second and third readings.
HB 1390 - Inspection warrants, as amended in House 6/23 and in Senate 7/5. Passed third reading.
HB 1400 - UCC double indexing. Passed second and third readings.
HB 1402 - Prepayment penalty, home loans, as amended in House 6/29. Floor amendment adopted providing prepayment privileges shall not apply to loans bearing interest greater than 6.1%. Failed to pass second reading.
HB 1408 - Local school budget add-ons. Passed second and third readings.
HR 1411 - (Joint Resolution) Legislative Library binding. Passed 2nd and 3rd readings.
HB 1412 - US Senator election. Passed second and third readings.
HB 1422 - Deputy Secretary of State. Passed second and third readings.
HB 1423 - GS Vols. 1C, 1D, 2A, 3A. Passed second and third readings.
HR 1426 - (Joint Resolution) Legislative computer services. Passed second and third readings.
HB 1427 - Dairy Assoc. assessments. Passed second and third readings.
HB 1431 - Civil works projects funds II. Passed second and third readings.
HB 1433. Numbered seats designation. Received from House. Placed on calendar for 7/6. Passed second and third readings.

LOCAL BILLS

SB 732 - (Davie) School board election. Passed.
SB 749 - (Harnett) Angier officials' pay. Passed.
HB 850 - (Harnett) Commissioner elections. Amendment adopted to provide that: (1) 1968 primary for county officers to be as now provided by law; (2) candidates nominated from district to be voted on at general election with highest candidate declared elected; (3) in 1970 and biennially thereafter, political parties to nominate one candidate for commissioner from each district where term expires on first Monday in December of nominating year (original, nomination to be by party primary); and (4) board of election to submit to voters at 1968 general election question of electing county commissioners for 4-year terms. Passed.
HB 1329 - (Watauga) Bd. of education election, as amended in House 6/30. Amendment adopted to provide that members of present board shall hold office until first Monday in April, 1969 (in House-amended bill, December, 1971) that members elected in 1968 (in House-amended bill, 1970) shall take office on first Monday in April 1969 (in House-amended bill, December, 1971) and serve until first Monday in December, 1970 (in House-amended bill, 1972). Passed.
HB 1381 - (Forsyth) W.S. transit authority. Passed third reading.
HB 1391 - (Moore) Dog pound-animal shelter. Passed.
HB 1424 - (Mecklenburg) Additional dime per bottle ABC (House committee substitute 7/4). Passed.
HB 1425 - (Mecklenburg) Local ABC enforcement. Received from House; sent to Calendar Committee.

SENATE CALENDAR ACTION -- 2:00 P.M. SESSION

PUBLIC BILLS

HB 1369 - Franchise tax formula, as amended in House 7/6. Reported favorably and placed on today's calendar. Passed second and third readings.

LOCAL BILLS

HB 1425 - (Mecklenburg) Local ABC enforcement, as amended in House 7/6. Reported favorably and placed on today's calendar. Passed.

BILLS RATIFIED

SB 8 - Service retirement pay, as amended in Senate 6/30. [Ch. 1151]
SB 106 - Alimony revision, as amended in Senate 6/2 and in House 6/30. [Ch. 1152]
SB 107 - Custody-support revision, as amended in Senate 6/2 and 6/7 and in House 6/30. [Ch. 1153]
SB 153 - Chief Medical Examiner, as amended in Senate 4/25 and 6/28 and in House 7/4. [Ch. 1154]
SB 271 - State Board of Assessment, as amended in Senate 6/16 and in House 6/30. [Ch. 1196]
SB 394 - Assigned risk liability hike, as amended in House 6/30. [Ch. 1155]
SB 413 - Ordinance hearing, (Senate committee substitute 6/28), as amended in House 7/4. [Ch. 1156]
SB 466 - Well construction standards, (Senate committee substitute 6/22), as amended in Senate 6/22 and in House 6/23. [Ch. 1157]
SB 474 - Insurance premium finance fees, as amended in Senate 6/28. [Ch. 1232]
SB 486 - Impounding abandoned vehicles, (Senate committee substitute 6/21), as amended in House 7/4. [Ch. 1158]
SB 518 - Liability ins. limits, as amended in Senate 6/16 and 6/19 and in House 7/4. [Ch. 1159]
SB 535 - Securities law exemption. [Ch. 1233]
SB 564 - Airport property tax exemption. [Ch. 1160]
SB 601 - Motorboat gas tax allocation, as amended in Senate 6/28 and (House committee substitute 7/4). [Ch. 1161]
SB 618 - Liability insurance coverage, as amended in House 7/4. [Ch. 1162]
SB 627 - Past-60 State retirement, as amended in Senate 6/15. [Ch. 1234]
SB 646 - Insurance co. stock purchase, as amended in Senate 6/27. [Ch. 1163]
SB 651 - Family court counsellor powers. [Ch. 1164]
SB 652 - Small claims defendants. [Ch. 1165]
SB 666 - Parks-forest study comm'n, as amended in Senate 7/3. [Ch. 1235]
SB 671 - New resident auto licensing. [Ch. 1166]
SB 674 - Coastal Plains Regional Comm'n. [Ch. 1167]
SB 687 - Issuing subpoena duces tecum. [Ch. 1168]
SB 694 - Meals for sequestered jurors. [Ch. 1169]
SB 697 - Lt. Governor's compensation, as amended in Senate 6/16. [Ch. 1170]
SR 698 - (Joint Resolution) Bird dog field trials. [R 82]
SB 707 - Inheritance tax refunds. [Ch. 1171]
SB 708 - Motor vehicles record fees. [Ch. 1172]
SB 709 - Vehicle dealers licenses. [Ch. 1173]
SB 712 - (Swain) School board election, as amended in House 7/4. [Ch. 1174]
SB 717 - Stealing secrets. [Ch. 1175]
SR 726 - (Joint Resolution) LRC Water Resource Law study. [R 83]
SB 727 - Amends SB 2, State exemption. [Ch. 1176]
SB 728 - Ed. Assistance Authority. [Ch. 1177]
SR 731 - (Joint Resolution) International relations. [R 86]
SB 737 - General Assembly worker pay, as amended in Senate 7/5. [Ch. 1236]
SB 738 - Executive officers' salaries, as amended in Senate 7/3 and 7/5. [Ch. 1237]
SB 739 - Alcoholic research. [Ch. 1178]
SB 740 - Awarding merit SHP acts II. [Ch. 1179]
SB 743 - Utilities Commission Salaries. [Ch. 1238]
SB 744 - (Brunswick) Street statute of limitations. [Ch. 1180]

SB 746 - January legislative convening, as amended in House 7/5. [Ch. 1181]
SB 749 - (Harnett) Angier officials' pay. [Ch. 1239]
HB 224 - Contradictory clause reading, as amended in House 6/7. [Ch. 1182]
HB 297 - Alcoholic rehabilitation funds (Senate committee substitute 6/26). [Ch. 1240]
HB 619 - Habitual felons (House committee substitute 6/6), as amended in House 6/7 and 6/8 and in the Senate 7/5. [Ch. 1241]
HB 686 - Validating spouse contracts, as amended in Senate 7/4. [Ch. 1183]
HB 732 - (Davie) School board election (House committee substitute 6/7). [Ch. 1242]
HB 850 - (Harnett) Commissioner elections, as amended in Senate 7/6. [Ch. 1243]
HR 1026 - (Joint Resolution) Public School study comm'n, as amd. in House 6/28. [R 81]
HB 1030 - NC Burial Ass'n Comm'n, as amended in Senate 7/5. [Ch. 1197]
HB 1076 - Credit card misuse, as amd. in House 6/22, 6/26 &iin Senate 7/6. [Ch. 1244]
HB 1077 - Pest Control Act of 1955 (House committee substitute 6/20), as amended in Senate 6/29. [Ch. 1184]
HB 1144 - Credit card insurance (House committee substitute 6/13), as amended in Senate 7/4, (Conference Report adopted 7/5). [Ch. 1245]
HB 1171 - Warehouse interstate property, as amended in Senate 7/3. [Ch. 1185]
HB 1172 - Uninsured motorist insurance, as amended in House 6/12. [Ch. 1186]
HB 1189 - Assigned risk default jdgmts, as amended in House 6/12 and 6/14 and in Senate 7/5. [Ch. 1246]
HB 1193 - Roadside junkyard control, as amended in House 6/20. [Ch. 1198]
HB 1194 - Highway beautification, as amended in House 6/21 and in Senate 7/5. [Ch. 1247]
HB 1195 - Billboard regulation, as amended in House 6/21 and in Senate 7/5. [Ch. 1248]
HB 1198 - CSC employee sick leave (House committee substitute 6/15), as amended in House 6/22. [Ch. 1187]
HB 1200 - Motor vehicle brakes. [Ch. 1188]
HB 1201 - County capital reserves. [Ch. 1189]
HB 1202 - Utilities Commission appeals. [Ch. 1190]
HB 1206 - Outstate attorneys practice. [Ch. 1199]
HB 1209 - Add 2 AG court reports. [Ch. 1200]
HB 1214 - Dormant carrier franchises. [Ch. 1201]
HB 1215 - Transferred carrier franchises. [Ch. 1202]
HB 1216 - Exempt motor carriers. [Ch. 1203]
HB 1220 - Pers'l injury med'l report, as amended in House 6/14. [Ch. 1204]
HB 1222 - Retirement system investments (House committee substitute 6/13), as amended in House 6/22. [Ch. 1205]
HB 1224 - $15,000 State tort liability. [Ch. 1206]
HB 1231 - Child detention alternate. [Ch. 1207]
HB 1240 - County and municipal zoning. [Ch. 1208]
HB 1253 - Revenue Act codification. [Ch. 1209]
HB 1254 - Machinery Act codification. [Ch. 1210]
HB 1259 - Eminent domain counsel fees, as amended in Senate 7/5. [Ch. 1249]
HB 1260 - Nursing direct payments. [Ch. 1211]
HB 1261 - School laws printing. [Ch. 1212]
HB 1262 - Front lamps to head lamps. [Ch. 1213]
HB 1269 - Blind-handicapped retirement (House committee substitute 6/22), as amended in House 6/22. [Ch. 1214]
HB 1271 - Abandoned vehicles disposal. [Ch. 1215]
HB 1273 - Frying Pan Lightship Comm'n. [Ch. 1216]
HB 1278 - Podiatry practice changes. [Ch. 1217]
HB 1285 - Workmen's comp. cancellation. [Ch. 1218]
HB 1289 - Abandoned vehicles changes, as amended in House 6/22 and in Senate 7/5. [Ch. 1250]

HB 1292 - (Cumberland) Auditorium funds, as amended in House 6/14 and in Senate 7/4. [Ch. 1191]
HB 1295 - Redefining slot machines. [Ch. 1219]
HB 1297 - Felony-misdemeanor changes (House committee substitute 6/22), as amended in Senate 7/5. [Ch. 1251]
HB 1304 - Gift tax advance payments. [Ch. 1220]
HB 1306 - Medical benefits tax exemption. [Ch. 1221]
HB 1309 - $5,000 inheritance tax exemption. [Ch. 1222]
HB 1312 - Self-employed retirement, tax, as amended in House 6/23. [Ch. 1252]
HB 1324 - Amending HB 646. [Ch. 1223]
HB 1325 - Local health departments. [Ch. 1224]
HB 1326 - NHSA benefits to State. [Ch. 1253]
HB 1329 - (Watauga) Bd. of education election, as amended in House 6/30, and in Senate 7/6. [Ch. 1254]
HB 1335 - Changing primary time, as amended in House 6/26 and in Senate 7/5. [Ch. 1271]
HB 1337 - Porpoise protection, as amended in House 6/23. [Ch. 1225]
HB 1342 - Municipal hwy. safety act aid. [Ch. 1255]
HB 1355 - Annexation technical changes, as amended in House 6/23. [Ch. 1226]
HB 1359 - Escheat auto collision funds. [Ch. 1227]
HB 1369 - Franchise tax formula, as amended in House 7/6. [Ch. 1272]
HB 1372 - Joint local recreation facils. [Ch. 1228]
HB 1373 - Chronic alcoholic laws, as amended in Senate 7/5. [Ch. 1256]
HB 1374 - Rescue squads (House committee substitute 6/27). [Ch. 1257]
HB 1376 - Forsyth courts, retirement, as amended in House 6/28. [Ch. 1258]
HB 1381 - (Forsyth) W.S. Transit authority. [Ch. 1259]
HB 1385 - Misc. workmen's comp. changes, as amended in House 6/29. [Ch. 1229]
HB 1386 - General Stats. Comm'n appointee. [Ch. 1230]
HB 1390 - Inspection warrants, as amended in House 6/23 and in Senate 7/5. [Ch. 1260]
HB 1391 - (Moore) Dog pound-animal shelter. [Ch. 1261]
HB 1393 - Liquefied petroleum standards. [Ch. 1231]
HB 1400 - UCC double indexing. [Ch. 1262]
HB 1401 - (Nash, Edgecombe) District health dept. [Ch. 1192]
HB 1408 - Local school budget add-ons. [Ch. 1263]
HR 1411 - (Joint Resolution) Legislative Library binding. [R 84]
HB 1412 - US Senator election. [Ch. 1264]
HB 1413 - (Orange) Chapel Hill land exchange. [Ch. 1193]
HB 1419 - (Duplin) Kenansville elections. [Ch. 1194]
HB 1422 - Deputy Secretary of State. [Ch. 1265]
HB 1423 - GS Vols. 1C, 1D, 2A, 3A. [Ch. 1266]
HB 1424 - (Mecklenburg) Additional 10¢ per bottle ABC (House committee substitute 7/4). [Ch. 1267]
HB 1425 - (Mecklenburg) Local ABC enforcement. [Ch. 1273]
HR 1426 - (Joint Resolution) Legislative computer services. [R 85]
HB 1427 - Dairy Assoc. assessments. [Ch. 1268]
HB 1428 - (Guilford) CSC salary. [Ch. 1195]
HB 1431 - Civil works projects funds II. [Ch. 1269]
HR 1432 - (Joint Resolution) Sine die adjournment. [R 87]
HB 1433 - Numbered seats designation. [Ch. 1270]

The Senate adjourned sine die at 4:00 p.m. official and actual time, Thursday, July 6, 1967.

BULLETIN NO. 107
Thursday, July 6, 1967

Sessions: House -- 9:30 a.m., 12 noon, and 1:45 p.m.

PUBLIC BILLS INTRODUCED -- HOUSE -- 9:30 A.M. SESSION

None

LOCAL BILLS INTRODUCED -- HOUSE -- 9:30 A.M. SESSION

None

HOUSE CALENDAR ACTION -- 9:30 A.M. SESSION

PUBLIC BILLS

SB 474 - Insurance premium finance fees, as amended in Senate 6/28. Floor amendment adopted deleting $300 maximum fee charge for applicant filing three or more applications for branch office of same type license. Passed third reading.

SB 627 - Past-60 state retirement, as amended in Senate 6/15. Passed third reading.

SB 666 - Parks-forest study comm'n, as amended in Senate 7/3. Reported favorably as amended; placed on today's calendar; amendment adopted providing that Comm'n to evaluate rather than "appraise" NC "public" park and forest facilities and private lands that become available for public use (original bill called for inventory and appraisal of NC park and forest facilities generally, without distinction as to ownership or use). Passed second and third readings.

SB 737 - General Assembly worker pay as amended in Senate 7/5. Reported favorably; placed on today's Calendar; passed second and third readings. Request received for return to Senate; refused.

SB 738 - Executive officers' salaries as amended in Senate 7/3 and 7/5. Received from Senate; sent to Calendar Committee.

SB 743 - Utilities Commission salaries. Received from Senate; sent to Calendar Committee.

HB 297 - Alcoholic rehabilitation funds, (Senate committee substitute 6/26), as amended in Senate 6/30. Reported favorably; placed on today's calendar; passed second and third readings.

HB 874 - Franchise tax allocation. Reported unfavorably.

HB 1144 - Credit card insurance, (House committee substitute 6/13), as amended in Senate 7/4. Conference report adopted.

HB 1194 - Highway beautification, as amended in House 6/21 and in Senate 7/5. Received for concurrence in Senate amendment; concurred.

HB 1259 - Eminent domain counsel fees as amended in Senate 7/5. Received for concurrence in Senate amendment; concurred.

HB 1289 - Abandoned vehicles changes, as amended in House 6/22, and in Senate 7/5. Received for concurrence in Senate amendment; concurred.

HB 1297 - Felony-misdemeanor changes, (House committee substitute 6/22) as amended in Senate 7/5. Received for concurrence in Senate amendment; concurred.

HB 1335 - Changing primary time, as amended in House 6/26 and in Senate 7/5. Received for concurrence in Senate amendment; failed to concur. The Speaker appointed the following to a conference committee: Representatives Vogler, Barbee and Staton.

HB 1369 - Franchise tax formula. Reported favorably as amended; placed on today's calendar; amendment adopted making following changes in original bill:

(1) deletes sections providing for change of franchise tax formula from 3/4 of 1% to 1 and 1/4% on June 30, 1968; (2) provides that franchise tax formula shall change from 3/4 of 1% to 2% on June 30, 1969; (3) renumbers sections of act to conform with amendment. Passed second and third readings.

HB 1373 - Chronic alcoholic laws as amended in Senate 7/5. Received for concurrence in Senate amendment; concurred.

LOCAL BILLS

SB 749 - (Harnett) Angier officials' pay. Received from Senate; placed on today's calendar; passed second and third readings.

HB 850 - (Harnett) Commissioner elections, as amended in Senate 7/5. Received for concurrence in Senate amendment; concurred.

HB 1329 - (Watauga) Bd. of education election, as amended in House 6/30 and in Senate 7/5. Received for concurrence in Senate amendment; concurred.

HB 1425 - (Mecklenburg) Local ABC enforcement. Reported favorably as amended; placed on today's calendar; amendment adopted deleting provisions (bill sections 1 and 2) granting county ABC board powers of suspension and revocation of various permits. Passed second and third readings.

Session: House -- 12:00 noon

PUBLIC BILLS INTRODUCED -- HOUSE -- 12:00 NOON SESSION

HB 1433 - Introduced by Barbee

"To amend Chapter 1063 of the Session Laws of 1967 by adding a new section thereto to be numbered three and one-half and to vest certain authority in the State Board of Elections concerning numbered seats." [Adds to SL 1967, Ch. 1063 (H.B. 918, concerning numbered legislative seats) provision that the authority for designating numbers to be assigned to Senate and House districts covered by act shall be vested in State Board of Elections.] Passed three readings and sent to Senate.

LOCAL BILLS INTRODUCED -- HOUSE -- 12:00 NOON SESSION

None.

HOUSE CALENDAR ACTION -- 12:00 NOON SESSION

PUBLIC BILLS

SB 535 - Securities law exemption. Reported favorably; placed on today's calendar; passed second and third readings.

SB 738 - Executive officers' salaries, as amended in Senate 7/3 and 7/5. Reported favorably; placed on today's calendar; passed second and third readings.

SB 743 - Utilities Commission salaries. Reported favorably; placed on today's calendar; passed second and third readings.

HB 619 - Habitual felons, (House committee substitute 6/6), as amended in House 6/7 and 6/8 and in Senate 7/5. Received for concurrence in Senate amendment; concurred.

HB 1390 - Inspection warrants, as amended in House 6/23 and in Senate 7/5. Received for concurrence in Senate amendment; concurred.

PUBLIC BILLS INTRODUCED -- HOUSE -- 1:45 P.M. SESSION

None.

North Carolina State Library
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LOCAL BILLS INTRODUCED -- HOUSE -- 1:45 P.M. SESSION

None.

HOUSE CALENDAR ACTION -- 1:45 P.M. SESSION

PUBLIC BILLS

SR 731 - (Joint Resolution) International relations. Received from Senate; passed second and third readings.

HB 1335 - Changing primary time, as amended in House 6/23 and in Senate 7/5. Withdrawn from Conference Committee; placed on calendar; vote by which failed to concur in Senate amendment reconsidered; concurred in Senate amendment.

LOCAL BILLS

None.

The Speaker, Representative Britt, made the following appointments:

Judicial Council: Representative Ramsey of Person.

Commission on Interstate Cooperation: Representatives Eagles, Gregory and Short.

State Board of Assessment: Representative Jones.

Jail Study Commission: Representatives Harrill and Hunter of Richmond.

Local Government Study Commission: Representatives Johnson of Wake, Sugg, Harkins, Fenner, Jernigan, and Falls.

Public School Study Commission: Representatives Tart, McMillan of Robeson, and Barbee.

Tax Study Commission: Representatives Leatherman, High and Godwin of Gates.

Conservation and Development Study Commission: Representatives Bowles, Paschall and Messer.

Representative David M. Britt resigned as Speaker of the House, and Representative Earl W. Vaughn was elected Speaker of the House.

The Speaker, Representative Vaughn, made the following appointments:

Legislative Research Commission: Representatives Johnson of Duplin, Mills of Anson, Taylor of Carteret, Edwards, Quinn.

State Parks and Forests Study Commission: Representatives Chase, Mills of Onslow and Collins.

The House adjourned sine die at 4:00 p.m. official and actual time, Thursday, July 6, 1967.

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